DOCUMENT RESUME

ED 185 472 CG 014 325

AUTHOR	McCune, Shirley; Matthews, Martha
TITLE	The Administrator's Role: Outlines and Participants' Materials for Application Sessions for Administrators. Implementing Title IX and Attaining Sex Equity: A Workshop Package for Elementary-Secondary Educators.
INSTITUTION	National Foundation for the Improvement of Education, Washington, D.C. Resource Center on Sex Roles in Education.
SPONS AGENCY	Council of Chief State School Officers, Washington, D.C.; Office of Education (DHEW), Washington, D.C. Women's Educational Equity Act Program.
PUB DATE	Sep 78
CONTRACT	300-76-0456
NOTE	168p.; For related documents see CG 014 321-326, ED 155 498-508 and CG 014 382.
AVAILABLE FROM	Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402
EDRS PRICE	MF01/PC07 Plus Postage.
DESCRIPTORS	*Administrator Role; *Administrators; *Compliance (Legal); Critical Path Method; Elementary Secondary Education; *Equal Education; Federal Legislation; Program Effectiveness; *Program Improvement; *Sex Discrimination; Social Bias
IDENTIFIERS	*Title IX Education Amendments 1972

ABSTRACT

This workshop session is designed to assist administrators responsible for the implementation of Title IX of the Education Amendments of 1972 and the attainment of sex equity in elementary and secondary school settings. These materials focus on helping administrators ensure procedural compliance with Title IX through the establishment of a foundation for sex equity as well as specific strategies for monitoring implementation efforts related to Title IX. Specific topics addressed include the following: (1) assessment of current status and problems; (2) required compliance procedures; (3) roles of the Title IX coordinator; and (4) decision-making activities related to Title IX implementation and monitoring. Additionally, a comprehensive, step-by-step session outline and participant worksheets are provided as aids for workshop facilitators. (Author/HLM)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED185472

IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY: A WORKSHOP PACKAGE FOR ELEMENTARY-SECONDARY EDUCATORS

Shirley McCune and Martha Matthews, Coeditors

THE ADMINISTRATOR'S ROLE

Outlines and Participants' Materials For Application Sessions For Administrators

Shirley McCune and Martha Matthews, authors

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

L Hermatuck

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

Prepared for the
Title IX Equity Workshops Project
of the Council of Chief State School Officers

By the
Resource Center on Sex Roles in Education
National Foundation for the Improvement of Education

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Joseph Califano, Secretary
Mary F. Berry, Assistant Secretary for Education

Office of Education

Ernest L. Boyer, Commissioner

CG 014325

For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

DISCRIMINATION PROHIBITED

No person in the United States, shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance, or be so treated on the basis of sex under most education programs or activities receiving Federal assistance.

This publication was prepared for the Council of Chief State School Officers by the Resource Center on Sex Roles in Education. It was prepared under contract #300-76-0456 for the U. S. Department of Health, Education, and Welfare, Office of Education, under the auspices of the Women's Educational Equity Act. Contractors undertaking such projects under Government sponsorship are encouraged to express freely their professional judgment in the conduct of the project. Points of view stated, do not, therefore, necessarily represent official Office of Education position or policy.

Preface

This session outline and the accompanying participant materials comprise one component of a multicomponent workshop package developed by the Resource Center on Sex Roles in Education under a subcontract with the Council of Chief State School Officers (CCSSO). This package, entitled Implementing Title IX and Attaining Sex Equity: A Workshop Package for Elementary-Secondary Educators, is designed for use by persons implementing training or staff development efforts for education personnel and interested citizens in the implementation of Title IX of the Education Amendments of 1972 and the attainment of sex equity in elementary-secondary schools.

The workshop package was field-tested by subcontractors in 11 regional workshops as a part of the CCSSO Title IX Equity Workshops Project. This project was funded under contract 300-76-0456 with the Women's Program Staff, U. S. Office of Education, Department of Health, Education, and Welfare. Funds to support the printing of participant materials used in the field-test workshops were provided by the National Institute of Education, Department of Health, Education, and Welfare.

Shirley McCune and Martha Matthews are the coeditors of the Workshop Package. This session outline and participant materials were developed by Shirley McCune and Martha Matthews; Martha Matthews' time was partially supported by funds from the Ford Foundation. Persons who have authored or contributed to other outlines and materials within the total package include: Linda Stebbins, Nancy Ames, and Illana Rhodes (Abt Associates, Cambridge, Mass.); Judy Cusick, Joyce Kaser, and Kent Boesdorfer (Resource Center on Sex Roles in Education, Washington, D. C.); Myra Sadker and David Sadker (American University, Washington, D. C.); Barb Landers (California State Department of Education, Sacramento, California); and Janice Birk (University of Maryland, College Park, Md.).

The CCSSO, the Resource Center on Sex Roles in Education, and the coeditors of the package gratefully acknowledge the assistance and advice of M. Patricia Goins, Project Monitor, Women's Program Staff, U. S. Office of Education, and Joan Duval, Director, Women's Program Staff, in the implementation of the contract. Grateful acknowledgement is also given to Sarita Schotta, Senior Research Associate, National Institute of Education for monitoring the contract which provided funds for the editing and printing of the field-test materials. Special gratitude is extended to the personnel of the 15 organizations who field-tested the Package in regional workshops for their efforts, their patience, and their support throughout the implemenetation of the Title IX Equity Workshops Project. These organizations and the project contact person in each include:

HEW Region	Organization	Contact
I	New England Equal Education Center 38 Woodland Street Hartford, Connecticut 06105	Martha O'Reilly
II	New York State Department of Education 99 Washington Avenue Albany, New York 12230	Mae Timer
III	West Virginia Department of Education Capitol Complex, B-252 Charleston, West Virginia 25305	Tony Smedley
IV	University of Miami P. O. Box 8065 Coral Gables, Florida 33124	Rita Bornstein
V	Michigan Education Association P. O. Box 673 East Lansing, Michigan 48823	Ruby King
	Northern Illinois University 101 Gabel DeKalb, Illinois 60115	John M. Nagle
VI	Dallas Independent School District 3700 Ross Avenue Dallas, Texas 75204	Frances Allen
VII	Center for Educational Improvement University of Missouri 408 Hitt Street Columbia, Missouri 65201	Murray Hardesty
VIII	Education Commission of the States 1860 Lincoln Street Denver, Colorado 80295	Jean Kennedy
IX	California State University Fullerton, California 92634	Barbara Peterson
X	Northwest Projects Office for Educational Service Portland State University P. O. Box 751 Portland, Oregon 97207	Kathryn Preecs

The coeditors also wish to express their appreciation to Byron Hansford, Executive Director, Council of Chief State School Officers; William Israel, Director of Special Projects, Council of Chief State School Officers; and James Becker, Executive Director, National Foundation for the Improvement of Education, for their support of the project. Ann Baucom and Lois Jamieson of the CCSSO and Ann Samuel of the Resource Center on Sex Roles in Education receive special thanks for their tireless efforts in the production of materials for the Workshop Package.

September 1978

IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY: THE ADMINISTRATOR'S ROLE

Outlines and Participants' Materials for Application Sessions A and B for Administrators, Title IX Coordinators, and Board Members

Contents

INTRODUCTORY MATERIALS

Implementing Title IX and Attaining Sex Equity: An Introduction to the Workshop Package.....I-1

How To Use These Materials I-9

SESSION OUTLINES

SESSION A--ENSURING PROCEDURAL TITLE IX COMPLIANCE: ESTABLISHING A FOUNDATION FOR SEX EQUITY

Session Specifications i

Session Agenda..... iii

I. INTRODUCTORY COMMENTS.....1

II. TITLE IX IMPLEMENTATION: ASSESSING YOUR PROGRESS AND PROBLEMS.....5

III. TITLE IX IMPLEMENTATION: THE REQUIRED COMPLIANCE PROCEDURES.....9

IV. THE ROLE OF THE TITLE IX COORDINATOR: INCREASING HER/HIS EFFECTIVENESS.....15

V. BREAK.....24

VI. IMPLEMENTING TITLE IX GRIEVANCE PROCEDURES.....25

VII. REVIEWING AND UPDATING THE TITLE IX SELF-EVALUATION.....33

VIII. SUBMISSION OF COMPLIANCE ASSURANCE FORMS.....37

SESSION B--MONITORING TITLE IX IMPLEMENTATION

Session Specifications i

Session Agenda iii

I. INTRODUCTORY COMMENTS.....1

II. ESTABLISHING A FRAMEWORK FOR MONITORING TITLE IX.....3

Page

III. STRATEGIES FOR MONITORING TITLE IX IMPLEMENTATION.....9

IV. BREAK.....17

V. "IT'S UP TO YOU: TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS"--an in-basket exercise in Title IX Monitoring.....17

VI. IMPROVING TITLE IX IMPLEMENTATION.....21

VII. SUMMARY COMMENTS.....23

PARTICIPANTS' MATERIALS

Participants' Materials for Session A (Administrator Worksheets 1 through 4)

Participants' Materials for Session B (Administrator Worksheets 5 through 16)

THE ADMINISTRATOR'S ROLE

Introductory Materials

Prepared for the
Title IX Equity Workshops Project
of the Council of Chief State School Officers

by the
Resource Center on Sex Roles in Education
National Foundation for the Improvement of Education

IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY: AN INTRODUCTION TO THE WORKSHOP PACKAGE

Introduction

Title IX of the Education Amendments of 1972, the Federal law which prohibits sex discrimination against the students and employees of education agencies and institutions receiving Federal financial assistance, was enacted in June 1972; the regulation to implement the legislation, which defines the specific criteria against which nondiscrimination is to be assessed in the various policies and practices of education agencies and institutions, was issued in June 1975 and became effective in July of that year. Despite the passage of years, however, full compliance with Title IX is far from a reality in most agencies and institutions throughout the country, and equity for females and males in education has yet to be attained.

Although significant progress has been made in a number of schools and school systems--the basic required Title IX compliance procedures have been implemented, students and employees describe their "increased awareness" of the problems of sex stereotyping and sex discrimination, and concrete improvements are apparent with regard to equalization of athletic budgets for female and male sports or to integration of previously sex-segregated courses--in most cases, considerable change remains to be made if full compliance and sex equity are to be integrated and reflected throughout the policies, programs, and practices of an education agency or institution.

If the necessary change is to occur, educators must move beyond paper compliance and problem awareness in order to develop the skills and competencies required for problem solution. Educators, like all other human beings, need support and direction if they are to translate legislative or administrative mandates for change into the actual delivery of nondiscriminatory and sex equitable services.

Many methods may be used to support educators in the change process--written information may be distributed, consultation may be made available, briefings or meetings may be conducted, training programs may be implemented, demonstration programs may be undertaken, and evaluation and reinforcement systems may be installed. The needs and resources of a particular education agency or institution will determine the forms of support which are most appropriate. One of the most frequently used methods of supporting change by education personnel is the inservice training workshop. In many situations, the inservice workshop is a cost-efficient way of reaching large numbers of personnel in a single effort and of providing assistance in skills development to these personnel. Implementing Title IX and Attaining Sex Equity: A Workshop Package has been designed to support the implementation of such a workshop.

The Development of the Workshop Package

Implementing Title IX and Attaining Sex Equity: A Workshop Package was developed by the Resource Center on Sex Roles in Education for the Council of Chief State School Officers' Title IX Equity Workshops Project during 1977 and 1978. The Title IX Equity Workshops Project was funded

under an 18-month contract for "National Regional Dissemination Workshops and Development of Technical Assistance Materials for Title IX of the 1972 Education Amendments" by the U. S. Office of Education, Department of Health, Education, and Welfare, under funds authorized by the Women's Educational Equity Act.

The purpose of the project was to develop and field test a training package which could assist education personnel and interested citizens to gain:

- an understanding of the manifestations and the effects of sex discrimination and sex bias in education
- an understanding of the requirements of Title IX and its implementing regulation, and of the steps required to achieve compliance
- skills and capability for the development and implementation of policies, programs, and management systems to ensure educational equity

The terms of the contract required that the package developed must be suitable for:

- use with groups representing all levels of education from elementary through postsecondary
- use at the local, state, regional, and national levels
- use without extensive reliance on consultative assistance or on materials outside the package itself

In order to address these requirements, it was decided that the training package must be developed according to the following considerations:

- Because of the differing needs, experiences, and frames of reference of elementary-secondary educators and postsecondary educatiors, "the" training package would need to be two training packages--one for elementary-secondary educators and one for postsecondary educators.
- Because the training package needed to be suitable for use with a wide variety of groups, it would need to include a wide variety of information and activities ranging from "awareness level" to more advanced skills-development and action-planning levels.
- Because the training package needed to be suitable for use by personnel without extensive background in training or consultation and materials resources, it would need to provide specific step-by-step instructions for the implementation of training as well as all materials which would be required for the implementation of training.

All of these considerations are reflected in the form and content of the Workshop Package as it is now published.

Initial plans and specifications for the Package were reviewed by more than 90 leaders in education in March 1977. These leaders were asked to evaluate the plans and suggest modifications in light of:

- their assessment of the training and technical assistance needs of education institutions and agencies related to the attainment of Title IX compliance and sex equity
- their evaluation of strategies available for meeting identified training and technical assistance needs
- their knowledge of resources which would facilitate the development and dissemination of the Workshop Package

Working drafts of the Package materials were field tested and evaluated in 19 workshops implemented by subcontractors in the various HEW regions. Eleven workshops for elementary-secondary educators and eight workshops for postsecondary educators were implemented from September 1977 through January 1978. During the field test workshops, the Package was evaluated by workshop facilitators, workshop participants, and on-site evaluators. Final copy of the Workshop Package was completed after analysis of all of the evaluations obtained during the field test workshops.

An Overview of the Workshop Package

Both the Workshop Package for Elementary-Secondary Educators and the Workshop Package for Postsecondary Educators provide training session outlines and participant's materials for a fifteen-hour workshop sequence on Title IX and sex equity in education. Each package is organized according to five three-hour workshop sessions. Three of these sessions are termed "Generic Sessions"; they are designed to provide general information and experiences which are relevant to all participants attending the workshop. The other two sessions, called "Application Sessions," are designed to provide specialized information and experiences to persons of different professional roles and to enable participants to apply workshop experiences to their individual professional responsibilities. Each of the components of the Workshop Package corresponds to one three-hour workshop session; a component includes both a detailed step-by-step session outline for facilitators and the materials designed for participant use during the workshop sessions.

The sequence (and titles) of the workshop sessions for elementary-secondary educators is outlined below; there is a written component in the Workshop Package for Elementary-Secondary Educators which corresponds to (and bears the same title as) each of these workshop sessions.

Generic Session One: "The Context of Title IX"

Generic Session Two: "The Title IX Regulation and Grievance Process"

Application Sessions A and B: Two sequential application sessions focus on the responsibilities and roles of six different groups with regard to Title IX compliance and the attainment of sex equity in education. Application sessions focus on the following roles and responsibilities:

- The Administrator's Role

  Session A - "Ensuring Procedural Title IX Compliance: Establishing a Foundation for Sex Equity"

  Session B - "Monitoring Title IX Implementation"

- The Teacher's Role

  Session A - "Identifying and Overcoming Sex Bias in Classroom Management"

  Session B - "Identifying and Overcoming Bias in Instructional Materials"

- The Counselor's Role

  Session A - "Identifying and Overcoming Bias in Counseling and Counseling Programs"

  Session B - "Identifying and Overcoming Bias in Counseling Materials"

- The Vocational Educator's Role

  Session A - "Overcoming Sex Discrimination and Attaining Sex Equity in Vocational Education: The Social/ Educational and Legal Context"

  Session B - "Overcoming Sex Discrimination and Attaining Sex Equity in Vocational Education: Recognizing and Combating Sex Bias and Planning for Action"

- The Physical Activity Specialist's Role

  Session A - "Achieving Sex Equity in Physical Education and Athletics: Legal Requirements and the Need for Change"

  Session B - "Achieving Sex Equity in Physical Education and Athletics: Analyzing and Planning for Action"

- The Community's Role

  Session A - "Building a Knowledge Base for Change"

  Session B - "Building Skills for Change"

Generic Session Three: "Planning for Change"

The objectives for Generic Session One include:

- to provide participants with an opportunity to assess their awareness of differential treatment of males and females in their schools and the impact of Title IX

- to provide participants with a review of the legal context of Title IX, an overview of Federal antidiscrimination laws, and the opportunity to assess their skills in identifying discrimination in schools

- to provide participants with an understanding of differential sex-role socialization as it is manifested in schools

- to encourage participants to identify goals for nonsexist education

The objectives for Generic Session Two include:

- to review with participants the requirements of the regulation to implement Title IX of the Education Amendments of 1972

- to provide participants an opportunity to assess their own understandings of Title IX requirements by sharing questions and answers with others

- to provide participants with an understanding of the significance of Title IX grievance procedures as a method for resolving complaints of sex discrimination and for monitoring Title IX compliance

- to provide participants with information regarding the structural components or characteristics of an effective grievance procedure and an opportunity to evaluate the structure of several sample grievance procedures

- to increase participants' understanding of and skills related to their own potential responsibilities for grievance problem solving

- to provide participants an opportunity to increase their skills in identifying Title IX violations and in formulating corrective or remedial actions appropriate to these violations through the analysis of sample Title IX grievances

The objectives for Generic Session Three include:

- to provide participants with an overview of some of the necessary conditions for change related to Title IX and sex equity in education and of the types of strategies available for planning and implementing change efforts in these areas

- to provide participants with a framework for diagnosing organizational change needs related to Title IX and sex equity and for designing action strategies which would be appropriate for meeting these needs

- to provide participants with an opportunity to develop preliminary plans for organizational change which could contribute to the full implementation of Title IX and achieving sex equity in their districts

- to increase participants' skills in developing action programs related to Title IX and sex equity for implementation in their own job functioning

Although the specific objectives of the Application Sessions vary according to the group for which the session is designed, all Application Sessions are generally designed to provide participants with the opportunity to:

- identify the implications of Title IX for their own job functions
- increase their skills for identifying and alleviating sex discrimination and for providing sex equity in their own job functions
- consider actions which can be taken in their own job functions to ensure Title IX compliance and increase sex equity in their education agencies and institutions

Although the content of the Package for Postsecondary Educators has been designed to address the unique needs of personnel of postsecondary education institutions, its organization and sequence parallel those of the Package for Elementary-Secondary Educators. The three Generic Sessions, although different in content, are the same in title and objectives as those for elementary-secondary educators. Application Sessions for postsecondary educators include: The Administrator's Role, The Counselor's Role, and The Teacher Educator's Role. (Application Sessions for faculty, for student services personnel, and for physical activity personnel have been developed in draft form and may be published in the future.)

Materials which supplement the basic components of the Workshop Package are also available. Two Participant's Notebooks, one for elementary-secondary educators and one for postsecondary educators, have been developed. These Notebooks contain all the worksheets used by participants during the three Generic Sessions; they also include substantial reference material which highlights or expands the content presented in these sessions, and an annotated listing of resources relating to Title IX and the achievement of sex equity in education. (Although the Generic Sessions may be implemented using only the participant's materials included with the session outlines, the reference material and resource listing included in the Participant's Notebooks make the use of these notebooks desirable wherever possible.)

A Final Context for the Workshop Package

Three major assumptions underlie the total Workshop Package, assumptions which should be kept in mind during its use:

- Title IX is one part of a total educational equity movement.

  Title IX is an evolutionary step in our nation's efforts to provide equity for all citizens. Our experience with years of attempting to eliminate race discrimination and bias in education provided the foundation for our understandings of sex discrimination and for the strategies and technology which may be used in its elimination.

  Anyone working to attain educational equity must remember the multiple ways that equity may be denied--on the basis of race; national origin; religion; cultural identity; sex; mental, emotional, or physical handicap; and social class--and work to ensure that the needs of all students are provided for.

- Our nation's concern for educational equity is a reflection of changes in our society; the achievement of educational equity is a crucial step in ensuring the survival of a viable society.

Our nation's concern for human and civil rights of various groups is rooted in the evolution of our society as it is affected by widespread social, economic, and technological change. Schools have the responsibility for preparing all students to participate in and to deal with these changes. Failure to achieve educational equity limits the potential attainments of our future society. Educational equity is not just a moral goal; it is a survival goal.

- The movement for educational equity is an important vehicle for educational reform.

Educators can be proud of the many accomplishments of our educational system. Despite these accomplishments, however, the changing nature of our society demands that we move on to greater achievement. Efforts to attain educational equity can contribute to implementation of many of the basic educational reforms which are needed. The greater individualization of instruction, the preparation of students for a variety of life roles, and the involvement of students in learning how to learn--these reforms are possible within the context of educational equity.

It is hoped that the Workshop Package and materials will assist its users in actualizing these assumptions and providing greater equity and higher quality education for all students.

HOW TO USE THESE MATERIALS

The following materials are one component of the multicomponent workshop package Implementing Title IX and Attaining Sex Equity. They provide resources and a step-by-step guide for implementing one three-hour workshop session, which is one session within the fifteen-hour workshop sequence outlined in the total Workshop Package.

The material in this session outline may be used in several ways:

- as the design and supporting material for a three-hour session which is presented as part of a 15-hour (two and one-half day) workshop on Implementing Title IX and Attaining Sex Equity
- as the design and supporting material for one of a series of five three-hour sessions utilizing the Workshop Package as a basis for a sequence of periodic seminars on Title IX and sex equity for education and/or community personnel
- as stimulus material for the adaptation and design of other activities or materials which can assist education personnel in achieving sex equity (e.g., information packets, self-instructional materials, etc.)
- as resources for teacher education programs
- as resources for training-of-trainers programs

Implementing Title IX and Attaining Sex Equity: A Workshop Package has been developed to facilitate its implementation by personnel with limited experience in workshop implementation and/or the subject matter which is relevant to consideration of sex equity. It is beyond the scope of this publication, however, to provide the background information on workshop design, implementation, and evaluation which would otherwise be desirable. Education personnel reviewing the package or considering use of any package component may nonetheless find it useful to review the following questions which should be considered with regard to use of this or any other training design.

1. Is the workshop session design appropriate for the purposes of groups for which it may be implemented?

The Workshop Package has been developed to address the needs of education personnel with a diversity of experience and familiarity with regard to Title IX and sex equity. The workshop package sequence begins with a consideration of the need and rationale for Title IX; it moves through a detailed review of the Title IX regulation and the Title IX [illegible]ance process; it proceeds to an examination of the application of the Title [illegible] regulation and sex equity principles to the particular day-to-day job [illegible]s of various groups of education personnel; and it concludes with an ove[illegible] of the change process and an opportunity for participant action planning related to Title IX compliance and the achievement of sex equity.

Workshop planners and training personnel should carefully review both the general objectives of each workshop session and the purposes of specific session activities (both are listed in the session outlines) in order to ensure their relevance and appropriateness to the particular needs of their intended workshop target group.

Similarly, workshop planners should also review the training methodology suggested in the outline for its suitability for situational needs. The processes or methods used in conducting any workshop should be selected for:

- their appropriateness to workshop objectives
- their appropriateness to the styles and skills of available workshop facilitators
- their provision of sufficient diversity to accommodate different participant learning styles

Because the objectives of the workshop package emphasize the delivery of cognitive information, it relies heavily on the use of lecturette and question-answer processes. The skills required of workshop session facilitators for the presentation of these activities are also less specialized than those which are required for the presentation of more affectively oriented activities.

All session outlines also involve the use of personal inventory and skills testing or skills practice activities performed by participants individually, as well as small group discussions and action-planning activities. These are included in order to:

- provide participants an opportunity to practice relevant skills and to receive immediate feedback
- provide participants an opportunity to share reactions and to develop small support groups
- accommodate the needs of participants for experiential learning activities
- increase the informality and variety of workshop activities

These procedures or methods suggested in the training design may be adapted to reflect a different emphasis in objectives or to reflect the different styles or skills of workshop session personnel. In considering the procedures or methods used in any workshop, it is useful to evaluate whether:

A) they provide a mixture of affective, cognitive, and experiential activities sufficient to accommodate the diversity of participants learning styles

B) they follow a logical progression from awareness building, to problem exploration, to skills assessment or development, through stimulation of the application of workshop information by participants in their relevant personal or professional activities

2. How much flexibility is desirable in implementing a session outline?

The session outline is intended as a guideline for the implementation of a training experience, not as a prescription that must be followed without deviation. The activities and sequence outlined in this session have been field-tested successfully with a variety of groups, but it should be recognized that no single design is appropriate for all situations. Facilitators should use the outline to assist them in meeting the needs of participants rather than as a constraint to necessary flexibility.

Flexibility is critical with regard to observance of the suggested timelines which have been provided in the session outline. These timelines tend to be highly concentrated. It will require most facilitators and groups to move at a brisk pace if all of the activities are to be completed in the time allowed. (Most of the sessions could benefit from an expansion of time allocated to each activity.) The timelines are general suggestions only; some groups of participants may need to spend more time on a single activity than is indicated in the outline and may be able to omit another activity, while others may find it impossible to move through the entire sequence of activities in the time available. The facilitator(s) must be sufficiently familiar with the training design and activities to determine the modifications which may be appropriate to a particular situation or group.

The primary guideline which should be observed in the implementation of the training activities is that care should be taken to meet the needs of the majority of the participant group. Facilitators should avoid modifications which may address the needs of only a few participants and attempt to meet the needs of individuals during break periods or after the workshop without detaining the entire group.

3. How can the workshop activities and sequence be adapted to fit shorter periods of time?

Although the session outlines were designed for implementation in three-hour periods, it is recognized that it may be necessary to modify the session for implementation in a shorter period of time. When this is necessary, the facilitator(s) should review the objectives of each suggested activity carefully before making a decision about which activities would be most appropriate. If this modification is necessary the facilitator(s) should consider the following:

A) Carefully review the sequence and the build-up activities provided in the session outline. Each session outline has been developed to include each of the following components:

- Needs assessment activity/exercise--Session outlines begin with an introductory activity which can involve the group in the session, allow individuals to express initial concerns and provide the facilitator with general information about the perceptions and experience of the group. This initial experience is a key method of judging the specific needs of the group and estimating the optimal pacing of the session activities.

- Cognitive activities--Each session outline includes a lecturette(s) to introduce new concepts and activities. These are designed to increase participants' understanding of particular problems related to sex equity and of the steps to be taken and the principles to be followed in achieving sex equity. The amount of information provided in a lecturette can be reduced if the group has had previous exposure to the concepts being presented. Even with experienced groups, however, it is useful to provide a summary of the key points included in the lecturette to ensure that all members of the group have a common frame of reference for subsequent activities.

- Experiential activities--Experiential activities provide an opportunity for participants to apply the concepts presented in cognitive activities to situations in educational practice. The purpose of this activity is to help participants assess for themselves the implications of the information presented for day-to-day activities.

- Skills practice activities--Each session outline includes a number of activities which are designed to give participants an opportunity to practice some of the skills which are necessary for the application of sex equity principles and to obtain immediate feedback regarding their efforts.

- Action-planning activities--Each session outline encourages participants to begin to identify specific steps which they or their education agency can take to promote full implementation of Title IX and/or to attain sex equity in their activities. These action-planning steps are crucial to the application of the information provided in the workshop package. They should not be eliminated and in fact, wherever possible, it would be desirable to expand the amount of time devoted to action planning. This is particularly relevant when participants work together in the same education agency.

In most cases, it is desirable to reduce the amount of time devoted to each of the various types of activities provided rather than to omit any of the major components of the session outline.

B) Provide participants with reading materials prior to the workshop session.

If the workshop time is limited, it may be possible to reduce the amount of time devoted to the workshop activities by providing participants with materials which can be read prior to the implementation of the workshop. If the facilitator believes that this is desirable, a summary of the information provided in lecturette or information sheet form may be distributed to participants prior to the workshop.

C) Reduce the amount of time spend on exercises and worksheets.

One way that the timelines for the session can be cut is to ask participants to consider only a limited number of cases or situations

presented in their worksheets, suggesting that others be completed some time after the workshop. (If this is done, the facilitator should make certain to explore those items selected for use in the group in sufficient detail to clarify for participants the basic principles reflected in the worksheet.) In all instances, the facilitator should emphasize ways which the participant materials may be used after the workshop.

4. What personnel are needed for the implementation of the session outline?

Although this session outline has been developed to facilitate its use by personnel of varying backgrounds, the selection of personnel to facilitate workshop activities is a critical factor in the implementation of any session. While the session outline may be implemented by a single facilitator, it is desirable to utilize a team of two or more facilitators. Use of a team has the following advantages:

- it increases the likelihood of ensuring both content expertise (knowledge of Title IX and sex equity principles in education, of the structure of education agencies, or Federal and state nondiscrimination laws, etc.) and process expertise (knowledge of group dynamics and skills in group processing and training) in the delivery of the session outline
- it makes it possible to demonstrate nondiscrimination by use of a training team on which both females and males and members of racial and ethnic minority groups are represented
- it makes it possible to increase the diversity of training styles and areas of expertise, and thus to accommodate the diverse learning styles and needs of workshop participants

If a facilitator team is utilized, it is important to designate one or two persons with responsibility for providing continuity and direction throughout all workshop activities. Persons with responsibility for workshop administration and for such tasks as participant registration, distribution of materials, and general problem solving should also be designated, particularly when the workshop involves a large number of people.

5. How should facilitators prepare for the implementation of the workshop session?

Effective implementation of the training session requires careful facilitator preparation. Facilitators should take ample time to do the following:

- thoroughly review the session outline and all participant materials
- prepare notecards outlining the sequence and the general directions for participants
- prepare their own outlines of the suggested lecturettes so that they may present the information provided in their own style (in no case should a facilitator read from the session outline during session implementation)

- identify points where information or activities could be omitted in the event that more time is needed in an earlier activity

If a team of facilitators is used, it is essential that the group meet together to:

- assign various responsibilities to the team members, making sure that each individual is clear about her/his role in appearing before the group, monitoring individual and small group work, preparing charts or materials, and working with other team members

- designate one person as the person responsible for providing continuity throughout the workshop and making decisions as to necessary adaptation of timelines

- discuss individual reactions to activities and ways that adaptations might be made if necessary

- consider the various styles represented in members of the team and the ways that the team might work together for maximum effectiveness

6. How should participants be involved in the workshop initially?

Considerations regarding the involvement of participants in the workshop event usually revolve around two issues: whether workshop participation should be voluntary or mandatory, and to what extent participants should be involved in the workshop planning process.

Determination of whether workshop participation should be voluntary or mandatory should be made in consideration of the workshop objectives, the job requirements of various staff groups, and other situational variables which may be relevant. The training design may be appropriately used whether participation is voluntary or mandatory. It is important to remember, however, that whether participants are notified of the obligation to attend or invited to participate, a clear and positive statement of workshop sponsorship, workshop purposes and objectives, and the time and location of the workshop can do much to establish a positive climate for the workshop and to alleviate uncertainties or anxieties experienced by participants. It is also important that participants are notified or invited in sufficient time to allow for personal planning or scheduling and for clarification of any questions regarding participation. It may also be useful to provide short preparatory reading material which can raise interest in or establish an initial context for the workshop.

Another method of establishing a positive workshop climate is to involve participants (or representatives of the workshop target groups) in workshop planning activities. This might be done through simple written or oral needs assessments which serve both to provide information about the felt needs of participants and to introduce participants to basic workshop issues. It might also be accomplished by simply keeping key participants informed of various stages of planning or decisionmaking, or by requesting the assistance of selected participants in obtaining workshop facilities, reproducing resource materials, introducing resource persons, etc.

The training design specifies no procedures for participant involvement prior to workshop implementation; workshop personnel should select procedures which are appropriate to the size, structure, and climate of their particular agencies or institutions.

7. What participant materials are needed to implement the session?

All materials which are required for participant use during a workshop session are attached to the session outline; these may be reproduced for distribution to session participants. Although the participant materials for each session are fairly extensive (and thus require some financial expenditure to reproduce in quantity), they are important to the successful implementation of the session because:

- they provide quick reference information for participants with little prior background
- they support and highlight the information provided by facilitators and allow participants to be actively involved in the training process
- they permit individual problem assessment and skills testing by participants related to session concerns
- they reinforce participants' workshop session experiences and provide participants a document for continuing on-the-job reference or use

(It should be noted that although all required participant materials are attached to the corresponding session outlines, a more comprehensive Participant Notebook has been developed and published as one component of the Workshop Package. This notebook includes not only all worksheets used during the three Generic Sessions, but also additional reference material and an extensive annotated listing of resources related to Title IX and sex equity. Ideally, each participant should receive a copy of this full Participant's Notebook and a copy of all worksheets for the Application Sessions which are appropriate to their role--e.g., adminstrator, counselor, etc.

8. What facilities, equipment, and resources are needed for implementation of the workshop?

The physical facilities provided for a workshop can make a significant difference in the difficulty or ease of its implementation. The workshop package requires a room sufficiently large to accommodate all participants for the generic sessions and small break-out rooms for each of the application group sessions provided. Moveable tables and chairs facilitate the creation of an informal environment and the implementation of small group activity. Attention should be given to ensuring that facilities are well lighted, at a comfortable temperature and well ventilated, and within access of rest-rooms. It is desirable to inspect facilities well in advance of the workshop to ensure that they will meet the needs of the workshop.

The equipment to be utilized in the session is specified in the training outline. Care should be taken to make arrangements well in advance of the workshops for the use of equipment to check just prior to the session to ensure that the equipment is available and in working order.

9. What guidelines should be observed by facilitators throughout the workshop?

Workshops dealing with sex equity often involve participants in a questioning of some of their earliest learnings and most basic beliefs and assumptions. Individuals dealing with these issues may have negative feelings about changing roles of males and females in our society and experience fear or anger about sex equity efforts in education. It is critical that workshop facilitators understand that these reactions are to be expected and how to handle them in positive ways. Some suggestions for dealing with possible resistance or rejection of the ideas covered in the workshop are outlined below.

Workshop facilitators should:

- Remember that change in knowledge, attitudes, and skills requires time and continued support. Each person must move through a process of exploring, understanding, and acting on new ideas before they can be accepted. Rejection of ideas presented in the workshop should not be interpreted as a personal rejection of the presenter.

- Work to provide continuing support to participants even when they are met by disagreement and/or resistance. Responses to be avoided by workshop personnel include:

  - Defensiveness--the expression through words or behaviors that a facilitator or resource person feels as if an attack has been made against her/his personal ability or adequacy. Workshop personnel should try to maintain an open attitude and deal with the ideas presented by the participant rather than the internal feelings that these ideas may create.

  - Rejection of the group--the categorization of an individual or group as "hopeless." One of the ways that facilitators may deal with persons who disagree is to reject them. It is important that workshop leaders maintain communications with all participants and continue to work through the feelings and ideas presented.

  - Future predictions--statements to an individual or the group such as "I'm sure you'll eventually see it my way." Although it is quite likely that many who reject ideas presented in workshops will change over a period of time, it is not helpful to dismiss the issues being considered by making future predictions.

  - Avoidance of the issues--dropping relevant controversial issues before they have been considered. Avoiding open consideration of possible implications of the Title IX regulation through a comment such as "There's really no need for major changes in most programs" does not contribute to participant learning or problem solving. Workshop facilitators should anticipate some of the controversial questions or concerns which are likely to be raised and be prepared to deal with them, if only by admitting uncertainty and a willingness to help participants obtain assistance from other sources.

- Overcontrol of the participant group--pressing the group ahead regardless of their present needs or ability to deal with some of the issues. Overscheduling a workshop agenda so that time is not available for clarification questions or for consideration of the implications of the information in small group discussion is one way to overcontrol the participant group. Workshop plans must include time to ensure that participants have the opportunity for initial exploration and evaluation of the information presented.

- Work to maintain a climate where participants' questions, feelings, and opinions can be expressed and considered. Maintain a nonjudmental approach toward the expression of feelings or opinions which differ from those being expressed in the workshop.

- Provide participants with concrete information and materials whenever possible. Much of the resistance to accepting change occurs when people do not understand the rationale for change and the specific steps that must be taken in implementing change. It is essential that participants be given opportunity to identify specific directions for change, to develop the necessary skills for change, and to receive support and assistance during this process.

ENSURING PROCEDURAL TITLE IX COMPLIANCE: ESTABLISHING A FOUNDATION FOR SEX EQUITY

Outline For Session A For Administrators,
Title IX Coordinators, and Board Members

Prepared for the
Title IX Equity Workshops Project
of the Council of Chief State School Officers

by the
Resource Center on Sex Roles in Education
National Foundation for the Improvement of Education

SEX EQUITY IN ADMINISTRATION:
ENSURING PROCEDURAL TITLE IX COMPLIANCE

APPLICATION SESSION A
FOR ADMINISTRATORS

Session Specifications

Session population: Elementary and secondary school administrators

Session objectives: The objectives of Application Session A for Administrators include:

- to provide participants with the opportunity to share progress, problems, and concerns related to the administration of Title IX compliance efforts
- to provide participants with a review of the five basic compliance procedures required by the Title IX regulation and their significance in continuing Title IX compliance efforts
- to provide participants with the opportunity to consider the role of the Title IX coordinator in their own agencies and some of the ways in which her/his effectiveness might be increased
- to provide participants with the opportunity to consider problems related to the implementation of the Title IX grievance procedure and to assess and strengthen their skills in identifying problem-prevention steps and actions which can increase the effectiveness of their own Title IX grievance procedures
- to provide participants with a framework for evaluating the strengths and weaknesses of their own institutional self-evaluation under Title IX

Time required: Three hours

Materials needed:

For participant use:

- "Title IX Implementation: Assessing Your Progress and Problems"--Administrators Worksheet 1
- "The Role of the Title IX Coordinator"--Administrators Worksheet 2
- "Implementing Title IX Grievance Procedures"--Administrators Worksheet 3
- "Implementing Title IX Grievance Procedures"--Administrators Worksheet 3A*
- "Evaluating Your Title IX Self-Evaluation"--Administrators Worksheet 4

*NOTE: All worksheets are included in the application materials for administrators; an "A" appearing in the worksheet number indicates that these are answer sheets which are placed in an appendix.

For facilitator use:

- Chart (on newsprint, acetate transparency, or chalkboard) of "Objectives for Session A" (see section I of this session outline)

- Newsprint, tape, and marker or chalkboard and chalk

Facilitators required: Although the session may be conducted by a single person, it is preferable in most cases to share responsibility among several persons (female and male) who possess both subject matter expertise and group process skills and who represent racial/ethnic diversity.

Facilitator preparation required:

The facilitator should:

- thoroughly review this total session outline and all participant materials

- review suggested lecturettes and comments and adapt them to accommodate unique group needs and facilitator style:

  - "Introductory Comments" (see section I of this session outline) — 5 minutes
  - Lecturette--"Title IX Implementation: The Required Compliance Procedures" (see section III of this session outline) — 15 minutes
  - Lecturette--"The Role of the Title IX Coordinator in Title IX Compliance Efforts" (see section IV of this session outline) — 15 minutes
  - Lecturette--"Implementing Title IX Grievance Procedures" (see section VI of this session outline) — 10 minutes
  - Lecturette--"Reviewing and Updating the Title IX Self-Evaluation" (see section VII of this session outline) — 5 minutes
  - Comments (see section VIII of this session outline) — 10 minutes
  - Summary and closing comments (see section IX of this session outline) — 5 minutes

- prepare chart as indicated in "Materials needed" section of these Session Specifications

Group size: Flexible

Facilities required: Meeting room to accommodate expected number of participants; moveable tables and chairs will facilitate small group work

Equipment and supplies needed: Newsprint, marker, and tape, or chalkboard and chalk; overhead projector and acetate transparencies (optional); pencil and pad for each participant

SEX EQUITY IN ADMINISTRATION:
ENSURING PROCEDURAL TITLE IX COMPLIANCE

APPLICATION SESSION A
FOR ADMINISTRATORS,
TITLE IX COORDINATORS, AND BOARD MEMBERS

Session Agenda

I.	INTRODUCTORY COMMENTS	TIME REQUIRED: 10 MINUTES
II.	TITLE IX IMPLEMENTATION: ASSESSING YOUR PROGRESS AND PROBLEMS	TIME REQUIRED: 25 MINUTES
	A. Individual activity--"Title IX Implementation: Assessing Your Progress and Problems"	(5 minutes)
	B. Small group discussions	(10 minutes)
	C. Total group processing	(10 minutes)
III.	TITLE IX IMPLEMENTATION: THE REQUIRED COMPLIANCE PROCEDURES	TIME REQUIRED: 15 MINUTES
	A. Lecturette--"Title IX Implementation: the Required Compliance Procedures"	(15 minutes)
IV.	THE ROLE OF THE TITLE IX COORDINATOR: INCREASING HER/HIS EFFECTIVENESS	TIME REQUIRED: 45 MINUTES
	A. Lecturette--"The Role of the Title IX Coordinator in Title IX Compliance Efforts"	(15 minutes)
	B. Individual activity--"The Role of the Title IX Coordinator"	(10 minutes)
	C. Small group discussions	(10 minutes)
	D. Total group processing	(10 minutes
V.	BREAK	TIME REQUIRED: 10 MINUTES
VI.	IMPLEMENTING TITLE IX GRIEVANCE PROCEDURES	TIME REQUIRED: 40 MINUTES
	A. Lecturette--"Implementing Title IX Grievance Procedures"	(10 minutes)
	B. Small group discussions--"Implementing Title IX Grievance Procedures--Problem Analysis"	(20 minutes)
	C. Total group processing	(10 minutes)
VII.	REVIEWING AND UPDATING THE TITLE IX SELF-EVALUATION	TIME REQUIRED: 20 MINUTES
	A. Lecturette--"Reviewing and Updating the Title IX Self-Evaluation"	5 minutes

	B. Individual activity--"Evaluating Your Title IX Self-Evaluation"	(10 minutes)
	C. Total group processing	(5 minutes)
VIII.	SUBMISSION OF COMPLIANCE ASSURANCE FORMS	TIME REQUIRED: 10 MINUTES
	A. Comments--"The Compliance Assurance Forms Requirement"	(10 minutes)
IX.	SUMMARY AND CLOSING	TIME REQUIRED: 5 MINUTES
	A. Summary and closing comments	(5 minutes)
		TOTAL TIME REQUIRED: 180 MINUTES

I. INTRODUCTORY COMMENTS

TIME REQUIRED: 10 MINUTES

Purpose of the activity:

The purposes of this activity are:

- to introduce the session facilitator(s) to the participants
- to provide participants with an overview of the Application Sessions for Administrators
- to provide participants with a review of the objectives for Application Session A

Materials needed:

For participant use: None

For facilitator use:

- A chart (on newsprint, acetate transparency, or chalkboard) of the Objectives for Session A for Administrators:

Objectives for Session A

- to share progress, problems, and concerns related to the administration of Title IX compliance efforts
- to review the five basic compliance procedures required by the Title IX regulation and their significance in continuing Title IX compliance efforts
- to consider the role of the Title IX coordinator in our own agencies and some of the ways in which her/his effectiveness might be increased
- to consider problems related to the implementation of the Title IX grievance procedure and to assess and increase our skills in the identification of problem-prevention steps and actions which can increase the effectiveness of our own Title IX grievance procedures
- to evaluate the strengths and weaknesses of our own institutional self-evaluations under Title IX and to identify ways in which our self-evaluations may be strengthened

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review the complete Session Outlines for Application Sessions A and B for Administrators and all participant materials
- review objectives for Session A and relate objectives to the activities outlined for the Session

Procedure:

The purposes of this activity are to introduce the session facilitator(s), to provide participants with an overview of the Application Sessions for Administrators, and to share with the participants the objectives for Application Session A for Administrators.

The session facilitator should begin by ascertaining that all participants are in the correct application session--that they are administrators, Title IX coordinators, or members of boards of education, or that they have elected to focus on administrative concerns during the workshop. The facilitator should describe the purpose and format of the application sessions, making the following points:

- The application sessions are designed to provide participants with the opportunity to work with people in roles similar to theirs (in, this case, administrators, Title IX coordinators, and members of boards of education) in exploring issues related to Title IX implementation and the achievement of sex equity which are particular to their role.

- There will be two three-hour application sessions conducted for each application group. These sessions are sequential, not interchangeable. It is important that the participants attend both application sessions designed for their group. Time will be provided after the two application sessions to work again with people in other roles; the final workshop session will be a generic session involving all participants.

Next, the session facilitator should take a moment to introduce her/himself and to provide a brief description of her/his involvement in issues of Title IX sex equity as they relate to administrators and school administration. Any housekeeping information necessary--restroom location, availability of pencils and paper, scheduling of refreshments, etc.--might be presented at this time.

The session facilitator should then begin the introductory comments which can provide participants with a frame of reference for considering the Application Sessions for Administrators. She/he should post the chart of Objectives for Session A so that they are visible to participants during the comments.

Suggested comments:

"Those of us in this application session represent three different groups of persons involved in the operation of education agencies and the implementation of Title IX: school board members or persons responsible for the governance of education agencies, administrators, and Title IX coordinators. Each of us has our own unique set of responsibilities and functions related to the implementation of Title IX and the attainment of sex equity in our schools and school districts.

As members of school boards or school district governance bodies, we are responsible for establishing school policies related to Title IX compliance and sex equity, and for policy decisionmaking and budget authorization for the overall school district program and operation.

As administrators--superintendents, assistant superintendents, or building principals--we are responsible for the implementation of Title IX/sex equity policy as established by agency governance, for the design of educational programs according to this policy, for the monitoring and evaluation of programs, and for the general supervision of service delivery and support staff.

As Title IX coordinators we are usually responsible for providing technical expertise regarding the implications of Title IX for our agencies' programs, for coordinating and monitoring the variety of day-to-day activities involved in Title IX compliance. Some of us are responsible for various activities related to Title IX grievance processing, some for providing Title IX technical assistance to other agency personnel, some for maintaining information services to the community, and some for Title IX recordkeeping; many of us have all these responsibilities and many others at the same time.

"Within these three general categories, our own particular functions and responsibilities are shaped by the particular organization and structure of our own education agencies. Some of us may even play two roles simultaneously--for example, we may be both assistant superintendent and Title IX coordinator. As we move through these sessions, we will have an opportunity to discuss some of the aspects of our own particular roles and situations.

"Keeping all these differences in mind, however, it is important that we also recognize the common elements of our various roles and the unique potential and responsibility we share with regard to the implementation of Title IX and the attainment of sex equity in our schools and school districts. Each of us--whether school board member, administrator, or Title IX coordinator--has both the opportunity and the responsibility to contribute to systemic and institutional change which can ensure nondiscrimination and equity in the policies, programs, and practices of our education agency. While teachers and counselors may modify their individual professional behaviors and practices, and both individual staff members and community members can call attention to needs for institutional change, only we have the ultimate authority to accomplish change and support change throughout the various systems and programs in our school district. If equal opportunity is to be provided for all students and employees, systemic efforts for nondiscrimination and sex equity must be implemented. During the next two sessions we will focus on needs and methods for ensuring systemic compliance with Title IX and for attaining sex equity.

"During Session A we will be concentrating on consolidating a foundation for Title IX compliance and sex equity. We will focus on the five compliance procedures which are required under Title IX (development and notification of Title IX compliance policy; designation of a Title IX coordinator; adoption of an internal Title IX grievance procedure; implementation of a self-evaluation to identify and correct noncompliance; and submission of Title IX compliance assurance forms) and the ways in which we can utilize these procedures as a foundation for continuing compliance efforts. We will be examining our own implementation of these procedures and the ways in which we can strengthen them to make our compliance efforts more effective.

"During Session B, we will be considering needs and strategies for continuing problem solving and monitoring activities related to the implementation of Title IX and the attainment of sex equity in our schools and school

districts. We will emphasize the assessment and refinement of our problem-solving skills and the identification of methods of improving our Title IX monitoring so that we may decrease the need for sudden problem-solving or crisis-by-crisis compliance efforts. We will be working to identify the kinds of programmatic actions which we can take to integrate Title IX compliance efforts within the overall administrative operations and structures of our districts.

"With this general sequence in mind for Sessions A and B, let's now review the specific objectives for Session A. During this first session, we will be working:

- *to share progress, problems, and concerns related to the administration of Title IX compliance efforts*
- *to review the five basic compliance procedures required by the Title IX regulation and their significance in continuing Title IX compliance efforts*
- *to consider the role of the Title IX coordinator in our own agencies and some of the ways in which her/his effectiveness might be increased*
- *to consider problems related to the implementation of the Title IX grievance procedure and to assess and increase our skills in the identification of problem-prevention steps and actions which can increase the effectiveness of our own Title IX grievance procedures*
- *to evaluate the strengths and weaknesses of our own institutional self-evaluations under Title IX and to identify ways in which our self-evaluations may be strengthened."*

Opportunities for questions and answers should be provided before moving to the next activity.

II. TITLE IX IMPLEMENTATION: ASSESSING YOUR PROGRESS AND PROBLEMS

TIME REQUIRED: 25 MINUTES

(A) Individual activity--"Title IX Implementation: Assessing Your Progress and Problems" (5 minutes)
(B) Small group discussions (10 minutes)
(C) Total group processing (10 minutes)

Purpose of the activity:

The purposes of this activity are:

- to provide participants an initial opportunity to assess their progress and problems in the implementation of Title IX, particularly with respect to the five compliance procedures required under the Title IX regulation
- to provide the session facilitator with an indication of participants' general levels of understanding and concerns related to the focus of this session
- to provide participants an opportunity to share their experiences and perceptions related to Title IX and to establish a norm for active participation by participants in session activities

Materials needed:

For participant use:

- "Title IX Implementation: Assessing Your Progress and Problems"--Administrators Worksheet 1

For facilitator use:

- newsprint, marker and tape; or chalkboard and chalk

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review this total session outline and all participant materials
- review Administrators Worksheet 1 carefully and prepare to process participant responses to the worksheet
- review directions for utilizing and processing Administrators Worksheet 1

Procedure:

A. Individual activity--"Title IX Implementation: Assessing Your Progress and Problems" (5 minutes)

The purposes of this activity are to provide participants an opportunity for small group interaction around several questions which suggest the concerns to be addressed during the remainder of Session A and to provide the session

facilitator with an indication of participants' general levels of knowledge and frames of reference related to session concerns.

The individual activity should be introduced with comments similar to the following:

"We mentioned that during this first application session we will be considering the significance of the five compliance procedures required under Title IX for our continuing Title IX implementation efforts. Before we discuss each of these procedures in some detail, it is useful for each of us to think back on our own experiences with Title IX implementation and identify our progress and problems and the importance of the various compliance procedures to our own efforts.

"Each of you should have a copy of Worksheet 1, 'Title IX Implementation: Assessing Your Progress and Problems' in your materials. This worksheet will provide you a number of questions to aid you in considering your own experience and, ultimately, in discussing your experience with others in the group.

"We would like each of you to spend the next five minutes responding to these questions individually. After you have finished we will spend some time sharing responses in small groups."

As participants complete their worksheets the facilitator(s) should remain available to answer questions or to provide assistance as necessary.

B. Small group discussions (10 minutes)

After five minutes (or when most participants appear to have completed their worksheets), the facilitator should ask participants to form groups of four to five persons each and to discuss their responses to the worksheet. The facilitator should remind participants to introduce themselves to other members of the group by giving their names, the names of their school districts, and their positions or responsibilities related to Title IX. The facilitator should also encourage participants to seek out persons they do not know as they form their small groups.

Approximately 10 minutes should be provided for small group discussions. (This time may be modified slightly if the facilitator feels that the discussions seem extremely useful or if they seem to be dragging.) During the same group work the facilitator should move through the room to observe the discussions and to identify issues which should be raised in group processing.

If the facilitator observes at some point that discussion appears to have dwindled or moved to inappropriate topics, she/he may wish to remind participants of the task or to move into the total group processing activity.

C. Total group processing (10 minutes)

When the small groups have had approximately 10 minutes to discuss their responses to the worksheet questions, the facilitator should initiate a discussion in the total group. She/he may begin the discussion by simply asking for responses to the first question on the worksheet.

Processing may be facilitated by asking a second facilitator to make notes of the major points raised on newsprint. It is not necessary that every response be recorded; the purpose of the recording is simply to help the facilitator and participants keep the major points in mind and to provide a listing for reference as appropriate later during the session.

Questions which assist participants to analyze the group's responses should be asked during processing. These include such questions as:

- *Were there any similarities or patterns in your experiences?*
  - *in satisfactions?*
  - *in problems?*
  - *in your experience with the compliance procedures?*
  - *in your future needs?*
- *Are there any differences which are evident? Do you see any possible reasons for these differences?*
  - *differences in the roles of persons here?*
  - *differences in the type of school districts or communities represented?*
- *What priorities of need or action are suggested by the responses to the fifth question?*

The activity should be concluded with remarks which emphasize the following points:

- The implementation of Title IX is often a difficult task. The past several years have seen many of us trying to implement procedures and requirements for which precedents are few and for which standards may seem to be unclear.
- The implementation of Title IX is a task of critical significance--it is both our legal and our educational responsibility as administrators. For this reason it is important that we take some time now to review some of the actions we've taken in the past several years and consider ways in which Title IX implementation might be made more effective, more systematic, and ultimately easier.
- Procedures and methods which we implement to ensure Title IX compliance are the same types of procedures and methods which can increase our general administrative effectiveness--the effectiveness of our personnel management systems, our systems of data collection and analysis, etc. Investment of effort and resources in Title IX compliance can often produce benefits in other aspects of education agency operations.
- Each of us has information, skills, and experiences which may be of value to others in the session. We should identify persons who have information or experiences which may be helpful to us as we participate in small group and total group activities and seek them out during the next two sessions and at other informal times during the workshop.

The activity should be concluded with some indication as to which concerns raised by participants will be addressed in the application sessions and which are probably outside the scope of the sessions. The facilitator may find it useful to leave the newsprint records of participants' responses posted for future reference during the sessions.

III. TITLE IX IMPLEMENTATION: THE REQUIRED COMPLIANCE PROCEDURES

TIME REQUIRED: 15 MINUTES

(A) Lecturette--"Title IX Implementation: The Required Compliance Procedures" (15 minutes)

Purpose of the activity:

The purposes of this activity are:

- to review for participants the structure of the Title IX regulation and the five basic procedures required for compliance
- to provide participants with a formulation of the significance of the five required compliance procedures in continuing Title IX implementation efforts
- to summarize for participants the particulars of the first required compliance procedure, the notification of Title IX compliance

Materials needed:

For participant use: None

For facilitator use: None

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review this total session outline and all participant materials
- review suggested lecturette and adapt it to accommodate unique group needs and facilitator style

Procedure:

A. Lecturette--"Title IX Implementation: The Required Compliance Procedures" (15 minutes)

This lecturette is designed to establish a context for the remainder of Application Session A--to assist participants in understanding that, although initial deadlines for completion of Title IX's procedural requirements have passed, the compliance obligation continues, and that effective implementation of the basic compliance procedures can provide a critical foundation for subsequent Title IX compliance efforts. After providing a general discussion of the basic requirements and their significance, the lecturette summarizes some of the detailed provisions of the policy notification requirement. (This detail is included in the lecturette because no worksheet is provided related to policy notification.)

Suggested lecturette:

"We've spent a few minutes discussing our Title IX compliance experiences at a general level. For the remainder of this session we will be considering our compliance experiences and efforts in greater detail--we'll be trying to assess the strengths and weaknesses of our compliance programs and to identify steps that we can take to make our compliance programs both more effective and more systematic.

"Before we move into several worksheets which will focus in detail on various specific aspects of our compliance procedures and programs, we are going to spend a few minutes reviewing the Title IX procedural compliance requirements and their significance for our continuing operations.

"You will remember from the second generic session that it is useful to think of the Title IX regulatory requirements as being organized within four sections:

1. A procedural section which specifies general definitions and five basic compliance procedures required of all education agencies and institutions receiving Federal funds. These requirements are an important feature of the Title IX regulation.

2. An admissions section which delineates discriminatory policies and practices which are prohibited in the admission of students to specified educational programs. This section applies to schools of vocational education and to most postsecondary education institutions.

3. A treatment of students section which outlines requirements for nondiscrimination in students' access to courses, student policies, counseling and guidance practices, physical education and competitive sports, facilities, financial aid, extracurricular activities, etc.

4. An employment section which specifies prohibited forms of discrimination in the employment policies and practices of education institutions and agencies receiving Federal funds.

"The last two sections--those on the treatment of students and on employment--are those which provide the substantive criteria for nondiscrimination in the policies, programs, and procedures of education agencies. The requirements for nondiscrimination in student programs and treatment, and in employment were reviewed in some detail in Generic Session Two, and these were the subject of the sample Title IX grievances considered in that session. It is these requirements which establish the basic standards for nondiscrimination in education agencies.

"As school board members, administrators, and Title IX coordinators we are the persons responsible for developing mechanisms and procedures for ensuring that our programs meet these standards and requirements. The first section of the Title IX regulation--the section which establishes five basic procedural compliance requirements--provides us with specifications of basic mechanisms and procedures which must be used to ensure substantive compliance in our schools and school districts. As we discussed briefly in Generic Session Two, there are five basic compliance procedures required under the Title IX regulation:

1. the notification of the agency's policy of nondiscrimination on the basis of sex and compliance with Title IX

2. the designation of an employee responsible for the coordination of the agency's Title IX compliance efforts

3. the development and publication of a grievance procedure for the resolution of student and employee complaints of discrimination prohibited by Title IX

4. the implementation of a self-evaluation to identify possible noncompliance with Title IX regulatory requirements, and to correct and remedy identified noncompliance

5. the submission of compliance assurances as a condition of Federal funding

"Because the initial deadlines for completion of these procedures have passed, many of us have a tendency to assume that these procedures are no longer relevant. If we are to ensure that our education agencies are in fact in compliance with Title IX, it is important that we recognize that our responsibilities for these procedures are continuing, and equally important, that effective implementation of these procedures provides us with a system and mechanisms for ensuring that our school districts are in compliance with Title IX's substantive requirements for nondiscrimination.

"Let's consider for a few moments the significance of the first four procedures.

The notification of Title IX compliance policy functions to involve large numbers of persons in the Title IX compliance effort. It ensures that students, employees, and others are aware of the districts' intent not to discriminate and specifies a person to whom questions regarding this policy and its implementation may be addressed. It provides employees and others (subcontractors, sponsors of extracurricular activities, users of school facilities, etc.) with a brief statement of their responsibilities for nondiscrimination.

The designation of an employee responsible for the coordination of Title IX compliance efforts ensures that responsibilities for ongoing coordination of Title IX-related efforts are clearly assigned and centralized in one person. Although the ultimate legal responsibility for compliance remains with the school board and the superintendent, and day-to-day compliance responsibilities adhere to all employees, it is critical that some central checking and coordination function be maintained. This is the function which should be served by the Title IX coordinator or designated employee.

The maintenance of a grievance procedure for resolution of Title IX complaints provides a mechanism for the continuing submission by all students and employees of information related to possible noncompliance with Title IX. It helps to ensure the timely correction and remediation of instances of discrimination and noncompliance which may arise at any time, and it provides a structure for the resolution of compliance problems at the local level.

The implementation of an institutional self-evaluation to identify noncompliance with Title IX and to ensure the correction and remediation of identified noncompliance should establish baseline data which provide a valuable resource for the design of all future compliance efforts and the consideration of compliance problems which may arise in the future. The adequacy and thoroughness of your self-evaluation may determine, in large measure, the number of Title IX grievances filed in the future, the degree to which all staff are aware of their specific responsibilities for nondiscrimination, and the degree to which the various policies and programs of your agency are in compliance with Title IX requirements.

"Just as these four procedures are essentially tools for effective management at the local education agency level, so the fifth procedure--the submission of the compliance assurance form to the Department of Health, Education, and Welfare--is a management technique of the Federal government. It is designed to assist the Federal government in ensuring that their funds are in fact given to contractors who are in compliance with Title IX.

"In the remainder of this session we will be working through several activities which help us examine three of these procedures in greater detail. We will be evaluating our own agencies in relation to the role of the Title IX coordinator, the implementation of the Title IX grievance procedure, and the effectiveness of our institutional self-evaluation. Before we do, however, let's review briefly the requirement related to policy notification and make certain that we are in compliance with regard to this very important procedure.

"In your Participants' Notebook you will find a checklist for evaluating Title IX policy notification procedures. You may find it useful to look at this checklist as we review the requirement; you'll find it on page 50.

"The notification of the agency's policy of Title IX compliance must contain two parts:

- a statement of agency responsibility for compliance with Title IX requirements for nondiscrimination in education programs and employment
- a statement that any inquiries regarding Title IX and its application may be referred to the Title IX coordinator or to the Director of the Office for Civil Rights, HEW

"This notification must be made to:

- students
- parents of elementary and secondary school students
- employees
- applicants for employment
- sources of referral for employment

- *employment recruitment representatives*
- *unions or professional organizations holding collective bargaining or professional agreements with the agency*

"This policy should have been published initially in: local newspapers; publications produced by the agency or its students; and in memoranda or written communications to each student and employee.

"The policy statement must be published on all ongoing agency publications such as:

- *course announcements*
- *bulletins or catalogs*
- *application forms*
- *student recruitment materials*
- *employee recruitment materials*
- *student handbooks*
- *official policy statements*

and other publications made available to the groups receiving the initial policy notification. Again, responsibility for policy notification is ongoing."

The facilitator should stop at this point to determine whether participants have any questions they wish to ask before moving into the activity regarding the role of the Title IX coordinator.

IV. THE ROLE OF THE TITLE IX COORDINATOR: INCREASING HER/HIS EFFECTIVENESS

TIME REQUIRED: 45 MINUTES

(A) Lecturette--"The Role of the Title IX Coordinator in Title IX Compliance Efforts" (15 minutes)
(B) Individual activity--"The Role of the Title IX Coordinator" (10 minutes)
(C) Small group discussions (10 minutes)
(D) Total group processing (10 minutes)

Purpose of the activity:

The purposes of this activity are:

- to review with participants the range and scope of functions and competencies expected of the Title IX coordinator in many education agencies
- to review with participants some of the basic principles of personnel management and organizational functioning which relate to the role of the Title IX coordinator and her/his effective functioning
- to provide participants an opportunity and structure for evaluating the role of the Title IX coordinator in their own agencies and for identifying institutional modifications which might be made to increase her/his effectiveness

Materials needed:

For participant use:

- "The Role of the Title IX Coordinator"--Administrator Worksheet 2

For facilitator use:

- newsprint, marker, and tape; or chalkboard and chalk

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review this total Session Outline and all participant materials
- review suggested lecturette and adapt it to accommodate unique group needs and facilitator style
- carefully review Administrator Worksheet 2; consider possible participant responses; and prepare to process responses in the total group

Procedure:

A. Lecturette--"The Role of the Title IX Coordinator in Title IX Compliance Efforts (15 minutes)

This lecturette is designed to assist participants in considering the role and functioning of the Title IX coordinator in the context of the institutional/organizational factors which influence her/his effectiveness. The lecturette will review the significance of the Title IX coordinator's role in an agency's compliance efforts, some of the expectations which are often held related to the Title IX coordinator, and some of the basic principles of personnel and organizational management which pertain to the effectiveness of the Title IX coordinator.

Following the lecturette participants will have the opportunity to apply some of the points made in the lecturette to individual and small group activities related to Administrator Worksheet 2. This worksheet suggests questions which will assist participants in considering the role of the Title IX coordinator in their own school districts and the steps which might be taken to facilitate the more effective functioning of the Title IX coordinator.

Suggested lecturette:

"The second major procedural requirement of the Title IX regulation is for the designation of an employee responsible for coordinating the agency's Title IX compliance efforts. Although the designation of such a person, usually referred to as the Title IX coordinator, does not diminish the ultimate legal responsibility of an agency's governing body and chief executive, this designation should establish some responsibility and accountability for coordination of and monitoring the diverse activities necessary to ensure Title IX compliance in any agency. For this reason, the effectiveness of the Title IX coordinator is one of the critical elements in the achievement of Title IX compliance and sex equity in any school district.

"We would like now to consider the role and functioning of the Title IX coordinator and the kinds of steps which may be taken in any district to increase the effectiveness of the Title IX coordinator. We will be considering the wide range of functions and expectations which are often assigned to the Title IX coordinator and some principles regarding the effective functioning of the Title IX coordinator within any organizational structure.

"Most of you in this group are well acquainted with this important but somewhat ambiguous role. You are Title IX coordinators yourselves or you are administrators or school board members who work with the Title IX coordinator or who depend on the coordinator to 'take care of Title IX' for your district. As we move through the various points of the discussion try to evaluate the applicability of the information or concern to your particular situation.

The role and functions of the Title IX coordinator

The Title IX regulation specifies no particular duties or functions for the Title IX coordinator beyond the general requirement that she/he 'coordinate' an agency's compliance activities. The potential scope of such coordination responsibilities extends throughout every aspect of an agency's policies, programs, and practices.

One of the frustrations of many Title IX coordinators (and one of the sources of compliance problems in many agencies) is the breadth and ambiguity of this role. In too many instances, Title IX coordinators were designated with little realization of the potential scope of the coordination task and little effort made to delineate specific responsibilities as Title IX compliance efforts have evolved, many Title IX coordinators have found themselves called upon to:

- provide technical legal assistance to administrators and members of governance
- provide program development services related to nondiscrimination
- provide training to service delivery staff and others regarding Title IX requirements
- provide information services to students and parents
- develop and administer Title IX grievance procedures and, in some cases, to assume responsibility for grievance decisionmaking
- develop and administer recordkeeping systems related to various aspects of Title IX compliance
- develop and administer Title IX compliance monitoring systems
- provide other services 'as the need arises'

In addition, many Title IX coordinators have found themselves required to maintain a difficult balance between serving as a compliance advocate or at least informing administrators of their legal responsibilities and functioning as an employee (usually an administrator) or a school system operating under constraints of budget, staff, and community pressure, a system which like most bureaucracies tends to maintain the status quo.

Another way of examining the role of the Title IX coordinator is to consider the range of competencies ideally required in such a role. These include Title IX-related competencies, administrative competencies, and interpersonal competencies.

- Title IX-related competencies:

  In many education agencies and institutions, the Title IX coordinator(s) are the primary person(s) relied upon for technical information regarding Title IX, its implementing regulation, and related administrative or judicial rulings. To provide such information, the Title IX coordinator must have:

  - indepth knowledge of the Title IX regulation, interpretive memoranda issued by the Federal government, and continuing judicial decisions
  - general knowledge of other Federal and state nondiscrimination laws and related judicial precedents as they bear upon the interpretation of Title IX requirements

- knowledge of the internal agency/institutional Title IX grievance procedure, including:

  . the rationale for its various structural or administrative characteristics

  . significant grievance decisions or precedents as they emerge

- knowledge of sources of information for continued updating on Title IX and related resources (materials, persons, and organizations), activities, and events

• Administrative competencies:

The Title IX coordinator must, in addition to understanding the technical requirements of Title IX, have the ability to transfer these requirements and related grievance resolutions into the actual program of the education agency/institution. In order to accomplish this, she/he is expected to possess considerable administrative knowledge and skills:

- thorough knowledge of, and experience in, the decisionmaking structure and operations of the agency/institution

- knowledge of the personnel policies and practices of the agency/institution

- knowledge of the student programs and related policies and practices of the agency/institution

- ability to design, implement, and monitor compliance activities:

  . to obtain and analyze data relevant to Title IX compliance

  . to delineate compliance goals and objectives

  . to establish compliance timelines

  . to allocate staff assignments

  . to develop and implement monitoring and reporting procedures

  . to develop and implement recordkeeping procedures or systems

- ability to prepare reports on Title IX compliance activities and make recommendations for action by appropriate decisionmakers

• Interpersonal competencies:

Successful coordination of Title IX compliance activities potentially requires that the Title IX coordinator obtain the

understanding, cooperation, and action of the many different students and employees of an education agency/institution. The Title IX coordinator must therefore demonstrate interpersonal communication skills or competencies in order to obtain the constructive involvement of a variety of persons in the grievance process and compliance activities. Some of these skills or competencies are:

- ability to interpret and personalize technical Title IX information for use by employees and students
- ability to design and implement relevant
  - . training activities
  - . consultation services
  - . continuing information services
- ability to communicate effectively both orally and in writing with a variety of constituencies
- ability to diagnose, clarify, and mediate differences of opinion
- ability to maintain nonjudgemental and nonthreatening behaviors in situations of conflict
- ability to state a position clearly and assertively in situations of opposition
- ability to establish a positive climate for Title IX compliance efforts

It is unlikely indeed that many individuals possess all of these diverse and sometimes specialized competencies. Many Title IX coordinators are, however, expected to display all of these.

In most cases, the roles of the Title IX coordinator and the competencies expected of that person evolved over a period of time in the absence of careful delineation. It is important that we now take time to re-evaluate these in light of our experience, and to specify the functions and competencies of the Title IX coordinator in a manner which reflects realistic expectations and the unique organizational structures of our own education agencies.

Basic principles regarding the effective functioning of the Title IX coordinator within the organizational structure of the agency/institution

As we consider the role and functioning of the Title IX coordinator and the steps we can take to increase her/his effectiveness, it is useful to keep in mind several basic principles regarding the effective functioning of the coordinator within the organizational structure of an education agency or institution. Regardless of the particular structure involved, the Title IX coordinator cannot be optimally effective unless:

- the functions and responsibilities of the Title IX coordinator are clearly delineated and communicated to all levels of agency/institutional governance and administration and to all employees and students

- the competencies required of the Title IX coordinator to fulfill these functions and responsibilities are delineated and she/he is provided training necessary to acquire/increase these competencies and/or access to support staff who can supply necessary competencies

- the Title IX coordinator is provided all information and all authority or access to authority necessary to enforce compliance requirements and mandate compliance programs and activities

Let's discuss each of these in a little more detail.

- Delineation and communication of the functions and responsibilities of the Title IX coordinator:

One of the difficult aspects of the role of the Title IX coordinator is the possible contradiction which may be involved in advocating any changes necessary to ensure compliance with Title IX requirements while serving as an employee of an institution or agency which may tend to maintain the status quo. Although this need not be problematic, difficulties may occur if the coordinator's role, functions, and responsibilities are not adequately defined and communicated, fully supported by middle and top management, and understood by employees and students. Too often difficulties experienced in Title IX compliance efforts are considered to be indications of some personal inadequacy on the part of involved individuals. Many of these difficulties may rather be a result of a lack of clarity and understanding regarding compliance requirements and the role of the Title IX coordinator within the agency/institution.

All administrators, staff, and students should be made aware that the overall role and responsibilities of the Title IX coordinator are established by Federal regulation, and that the ultimate criteria which guide agency/institutional compliance efforts are those specified by the same regulation. Further, it should be understood that if the coordinator is to coordinate agency/institutional compliance efforts effectively as the Title IX regulation requires, her/his responsibilities must include preventive as well as corrective or remedial activities. Corrective and remedial activities involve those which might be undertaken to correct noncompliance identified through the grievance process, or during the required agency/institutional self-evaluation (e.g., the modification of sex differentiation in a salary schedule) and to remedy its effects (e.g., the awarding of back pay to employees who suffered from the discriminatory schedule). Preventive activities involve those such as the periodic assessment of the awareness of employees and students regarding Title IX requirements, or the provision of training and updating services to staff regarding their compliance responsibilities.

In addition to ensuring such understanding of the general role of the Title IX coordinator, it is important to delineate and communicate the <u>specific</u> functions which he/she is expected to perform--functions related to technical assistance, staff training, grievance administration, data collection, etc. It is important to review these to make sure that they are realistic

and that adequate time is provided for their performance. It is also important to ensure that these functions are consistent--for example, that the Title IX coordinator is not made responsible both for grievance advocacy and grievance decisionmaking. The Title IX coordinator need not be personally responsible for all compliance activities; the key function is that of coordination.

It is valuable in all education agencies to ensure that a written position description is developed for the Title IX coordinator, and that information regarding the responsibilities of this position is provided to all relevant staff.

- Delineation of required competencies and provision of necessary training and support

As we delineate the functions of the Title IX coordinator it is important that we also specify the competencies required for performance of these functions--the Title IX-related competencies, the administrative competencies, and the interpersonal competencies. Once these competencies have been specified, we must ensure that our Title IX coordinators are either provided training which can assist them in acquiring/increasing competencies which they may lack or access to other staff who can provide complementary expertise. For example, Title IX-related publications might be provided by the district's public information staff working with the Title IX coordinator; certain Title IX compliance data might be obtained or analyzed by persons responsible for other research-type activities, etc.

- Provision to the Title IX coordinator of access to information and authority

Effective implementation of the role of the Title IX coordinator may only occur when the coordinator has open access to information and to administrative and decisionmaking authority in all areas covered by the Title IX regulation. The coordinator must have the power to obtain information relevant to the determination and monitoring of compliance, and to effectuate and enforce necessary compliance actions in any relevant aspect of agency/institutional policy, procedure, or practice.

Because Title IX compliance is ultimately the responsibility of the agency's/institution's chief administrative officer, it is advisable that the Title IX coordinator report directly to this officer, or to an individual at the highest level of management who has direct and immediate access to the chief administrative officer.

"Underlying each of these principles is the responsibility of education agencies and institutions to ensure that all possible support is provided for the functioning of the Title IX coordinator. An effective Title IX coordinator can assist agencies and institutions in interpreting and complying with their legal obligations for nondiscrimination (obligations which must be met if eligibility for Federal financial assistance is to be maintained) and in fulfilling their educational responsibility to provide equal opportunity to all students."

The facilitator should pause at this point to give participants a brief opportunity to ask clarifying questions. Lengthy discussion should, if possible, be postponed until the total group processing activity.

B. Individual activity--"The Role of the Title IX Coordinator" (10 minutes)

The purpose of this activity is to provide participants an opportunity to consider the role and functioning of the Title IX coordinator in their own education agencies and to identify steps which might be taken to increase the effectiveness of this person.

The facilitator should introduce the activity with comments such as the following:

"When many of us think of the Title IX coordinator in our own district we tend to think of her/his personal attributes or particular interactions we've had with that person. If we ourselves are Title IX coordinators, we may tend to see our problems in terms of our own inadequacies or interpersonal conflicts we may have experienced.

"It is important that we remember, however, that the effectiveness of the Title IX coordinator in our district (or our own effectiveness in this role) is shaped by a variety of institutional factors such as those we have just considered--factors such as role delineation, role support, access to authority and information, etc.

"Each of you should have a copy of Worksheet 2, 'The Role of the Title IX Coordinator,' which is designed to help you consider the institutional factors which affect the functioning of the Title IX coordinator in your school district. We'd like each of you to spend about 10 minutes completing the worksheet individually, then we'll be discussing it in small groups. Please work as rapidly as you can."

As participants are working individually, the facilitator(s) should attempt to observe participants' general progress on the worksheet. She/he should remain available to answer any questions which may arise.

C. Small group discussions (10 minutes)

After most participants appear to have completed most of the worksheet, the facilitator should ask them to form groups of three persons each and to discuss their responses. They should be asked to focus particularly on sections III and IV, which focus on the strengths and weaknesses of the role of the Title IX coordinator as it is established in their own districts.

During the small group discussions the facilitator(s) should circulate through the room and observe the discussions. If the small groups appear to be having difficulty, the facilitator may wish to reconvene the total group and work through the questions systematically with the group.

D. Total group processing (10 minutes)

After participants have had an opportunity to share their responses in small groups, the facilitator should reconvene the total group for processing. If participants were able to discuss effectively in their small groups, the facilitator may begin the discussion by asking the participants to volunteer the strengths and weaknesses they identified in sections III and IV. After some of these have been shared, the facilitator should then ask participants about the action steps they identified for improving the effectiveness of the Title IX coordinator in their own agencies.

(If participants seemed to experience difficulty with the worksheet, the facilitator should instead work through all the major points in the total group.)

The facilitator may find it useful to raise questions such as the following:

- How well did your initial description of the Title IX coordinator's responsibilities coincide with your answers to the later, more detailed items? How easy was it for you to respond to these items?
- What are the primary strengths of the way that the role of the Title IX coordinator is defined in your district?
- What conflicts seem to be manifest in the role of the Title IX coordinator?
- What suggestions could you make for improving the structure necessary for effective functioniny of the Title IX coordinator?

The facilitator should underscore the following points:

- The success of the Title IX coordinator is dependent in large measure on the administrative structure provided. Three critical elements that must be provided in the district administrative structure are:
  - clarity of the role which is envisioned for the Title IX coordinator
  - access to authority and information
  - specific delineation of the job responsibilities of the Title IX coordinator
- At least two major conflicts are frequently inherent in the role of the Title IX coordinator. These are between:
  - the role of the Title IX coordinator as an employee of the school district and the role of the Title IX coordinator as a facilitator in assisting students and employees to file grievances against the district
  - the role of the Title IX coordinator as an administrator in a position of authority and the role of the Title IX coordinator as a person who is easily accessible to students and employees (This may be dealt with by naming Title IX representatives in the various school buildings in the district.)

- If any Title IX coordinator is going to be successful, she/he must have access to adequate staff and financial resources.

V. BREAK TIME REQUIRED: 10 MINUTES

VI. IMPLEMENTING TITLE IX GRIEVANCE PROCEDURES

TIME REQUIRED: 40 MINUTES

(A) Lecturette--"Implementing Title IX Grievance Procedures" (10 minutes)
(B) Small group discussions--"Implementing Title IX Grievance Procedures--Problem Analysis" (20 minutes)
(C) Total group processing (10 minutes)

Purpose of the activity:

The purposes of the activity are:

- to review with participants factors relating to the implementation of effective Title IX grievance procedures
- to provide participants an opportunity to assess and increase their skills in identifying problems related to the implementation of Title IX grievance procedures and in identifying problem prevention strategies and steps
- to provide participants an opportunity to identify steps that they can take to prevent or correct problems related to the implementation of the Title IX grievance procedure in their own agencies

Materials needed:

For participant use:

- "Implementing Title IX Grievance Procedures"--Administrators Worksheet 3
- "Implementing Title IX Grievance Procedures"--Administrators Worksheet 3A

For facilitator use:

- newsprint, tape, and marker; or chalkboard and chalk

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review this total session outline and participant materials
- review suggested lecturette and adapt it to accommodate unique group needs and facilitator style
- thoroughly review Administrators Worksheet 3 and the sample responses provided on Worksheet 3A; prepare to process the discussion of participants' responses to the worksheet (Note: Part Two of this worksheet is made optional in this session outline; facilitators should make certain, however, that they are sufficiently familiar with this part to discuss it if the need arises.)

Procedure:

A. Lecturette--"Implementing Title IX Grievance Procedures" (10 minutes)

The purpose of this lecturette is to review for participants some of the considerations related to the effective implementation of Title IX grievance procedures. The lecturette suggests points which may be applied to the identification of problems related to the implementation of grievance procedures as they are presented in Administrator Worksheet 2 and as they may occur in participants' own school districts.

Suggested lecturette:

"The third compliance procedure required under the regulation to implement Title IX is the development, publication, and maintenance of a grievance procedure for the resolution of student and employee allegations of violations of Title IX. It is this grievance procedure which provides education agencies with an important mechanism for the continuing identification and correction of Title IX violations. Not only is the maintenance of a grievance procedure required by the Title IX regulation, it is a basic method of ensuring continuing monitoring of our Title IX compliance efforts.

"The basic functions which must be served by any Title IX grievance procedure are two:

1) *the identification of policies, procedures, and practices which do not comply with the requirements of the Title IX regulation*

2) *the correction of identified discrimination and the provision of redress to persons discriminated against*

If a grievance procedure is to fulfill these functions it must be both structurally sound and effectively implemented.

"In Generic Session Two we discussed in detail some of the structural aspects of good Title IX grievance procedures. By way of review, we should remember that the structure of a grievance procedure should be designed to ensure equitability and due process to all parties in the grievance. It should provide for progressive levels of appeal or grievance consideration, and it should provide some assurance that grievance decisions will be made by persons not directly involved in the outcome of the grievance.

"Equitability and due process depend not only on the structure of the grievance procedure but also on its implementation. Even the most carefully designed grievance procedure will not fulfill its purposes unless it is effectively implemented. A well-implemented grievance procedure should:

- *provide a mechanism for involving staff and students in the monitoring of Title IX compliance and the correction of sex discrimination*

- *increase dialogue and mutual problem solving related to issues of educational equity among the various staff levels of the education agency*

- increase dialogue between the community and the schools related to issues of educational equity

- protect the education agency from Federal investigation and intervention by providing a mechanism for resolution of allegations of Title IX violations and development of necessary corrective and remedial actions at the local level

"Let's consider for the next few minutes some of the issues related to the implementation of effective Title IX grievance procedures and some of the ways that we may ensure that our procedures not only provide due process and equitability but also serve some of these other important functions. We will consider three primary issues: grievance follow-up and monitoring; the dissemination of information regarding the grievance procedure and/or grievance decisions and their implications; and the training of staff regarding grievance processing, Title IX requirements, and/or grievance decisions and their implications.

Grievance follow-up and monitoring

"Again, the fundamental purpose of a Title IX grievance procedure is to provide a fair, orderly, and systematic process for identifying, modifying, and remedying any agency policy, procedure, or practice which is not in compliance with Title IX requirements. Given the variety of pressures which are placed upon most agency employees for a number of different actions at any one time, it is unlikely that all necessary modifications and remedial steps will be taken unless consistent follow-up and monitoring procedures are implemented. A variety of follow-up and monitoring systems may be used, but in any system four functions must be performed if grievance follow-up is to be assured:

- every grievance decision must be reviewed and its implications for the modification of policy, procedures, and practice delineated

- every modification necessary must be broken into its component tasks, the various staff responsibilities for these tasks identified, and timelines specified for their implementation

- any information and assistance needed by staff for performance of these tasks must be identified and provided

- procedures for the reporting and monitoring of progress or problems in the achievement of these modifications must be implemented

These functions may of course involve a number of staff members. It is advisable, however, that coordination of follow-up and monitoring efforts be made the function of the Title IX coordinator.

Dissemination of information regarding the grievance procedure and/or grievance decisions and their implications

"If the Title IX grievance procedure is to be effectively implemented, two kinds of information must be disseminated:

- *information regarding the existence of the grievance procedure and its use*--The utilization of the Title IX grievance procedure is both a right of students and employees and a benefit to the education agency; it provides a mechanism for the identification of previously unidentified noncompliance and an alternative to the Federal administrative complaint process. The utilization of an agency's grievance procedure will in the long run be determined by whether grievants find it a fair procedure and one through which they can actually achieve correction of discrimination. More immediately, however, utilization of the procedure will depend upon the understanding of students and employees of their rights under Title IX and of the grievance procedure which is available to them for protection of these rights. This information may be provided in many ways; through the development and distribution of various types of written materials; through the provision of periodic briefings; or through a combination of techniques. It may be targeted generally to all groups, or specific efforts may be developed for specific audiences.

- *information regarding grievance decisions and their implications*--If Title IX compliance is to be ensured throughout the agency or school district, it is critical that all staff be provided information regarding the nature of grievance decisions and their implications for specific agency policies, programs, and practices. Further, analysis and dissemination of information with regard to the handling and resolution of Title IX complaints can serve several functions:

  - it can serve as one means of continuing policy notification (as required by the Title IX regulation) and of policy specification

  - it can provide administrators and staff with a knowledge of sex discrimination and Title IX compliance problems which can serve as a resource for program administration and implementation

  - it can inform students, parents, employees and other interested persons regarding agency/institutional compliance efforts, and it may assist in the clarification of Title IX issues which, if left unclarified, might result in the filing of unnecessary grievances with a resultant drain on time and personnel resources

  Such information may be provided through ongoing publications, periodic briefings, or open grievance records (with names and identifying information removed). If grievance records are opened, it is still useful to provide some summary analysis of the decisions and their implications.

Dissemination of such information is basic to the effective implementation of Title IX grievance procedures.

Training of staff regarding grievance processing, Title IX requirements, and/or grievance decisions and their implications

"The training of staff regarding Title IX requirements, grievance processing, and grievance decisions and their implications is probably the most critical component of any grievance process. Two sorts of training are required:

- *training which can assist staff in making grievance decisions, if such a role is provided by your grievance procedure-- The involvement of staff from all segments of the education agency is one valuable method of ensuring staff involvement in the Title IX compliance process and providing some assurance of relatively neutral grievance decisionmaking. Many agencies have found it useful to institute grievance hearing panels, with representatives of the school administration, school governance, school staff, and sometimes the community. If this is done, however, all persons must be provided training regarding both the specific requirements of Title IX and methods and procedures for equitable grievance handling. Training of this sort is basic to the meaningful implementation of a grievance procedure. All persons with responsiblities for grievance decisionmaking--whether superintendent, school board member, or community member--must be provided training which can ensure knowledgeable and fair decisionmaking.*

- *training which can assist staff in implementing grievance decisions and Title IX compliance efforts--Title IX compliance and the implementation of grievance-related modifications and remedial steps often calls upon educators to engage in new and unfamiliar behaviors, behaviors which they may not understand or possess the skills or knowledge to implement successfully. It is important that needs for training be recognized and that necessary training be provided all staff involved in new compliance procedures.*

The provision of more general Title IX-related training to all education personnel can also establish a more receptive climate for Title IX compliance efforts, and make subsequent grievance-related training more effective.

It is important that we begin to consider these issues as they relate to our own agencies and districts. Implementation of such efforts now may help us to prevent problems, or to alleviate problems which have arisen so far in our Title IX compliance and grievance processing efforts."

Before moving into the worksheet activities designed to help participants to apply this information to problem-solving activities related to grievance procedure implementation, the facilitator should pause briefly to respond to any questions raised by participants.

B. Small group discussions--"Implementing Title IX Grievance Procedures--Problem Analysis" (20 minutes)

The purpose of this activity is to provide participants an opportunity to assess and extend their skills in the recognition of problems related to the implementation of Title IX grievance procedures and the identification of problem prevention strategies of steps. Sample cases are provided for their consideration in the small group discussions.

The facilitator should introduce the activity with comments such as the following:

"We've reviewed several basic issues related to the implementation of Title IX grievance procedures; now we're going to see if we can apply this information to the analysis of problem situations related to the implementation of Title IX grievance procedures. We'd like you to work in groups of four on the problem situations you'll find listed in Part One of your Worksheet 3.

"If you'll turn to Part One of the worksheet you'll find five problems described. If you turn two pages farther, you'll notice a number of 'Problem Analysis Sheets,' one corresponding to each problem situation. In your small groups, we'd like each of you to read the problem situations one at a time, and analyze each in your group. You'll note that the sheet asks you to identify the problem reflected in each situation, to categorize it according to the five types of problems identified, and to suggest steps which might have been taken to avoid the problem.

"Let's review the meaning of each of the problem categories listed at the top of the page:

- *the structure of the grievance procedure--Does the procedure provide for progressive levels of appeal and some assurance of impartial decisionmaking? Is it easy to use?*
- *the decisionmaking process--Are grievance decisions made in an impartial fashion ? Do they reflect knowledge of Title IX requirements?*
- *grievance follow-up and monitoring-- Are necessary steps taken to ensure that grievance decisions are reviewed for their implications and the responsibilities of all staff for the implementation of necessary modifications and remedial steps identified? Are timelines for corrective and remedial steps established? Are procedures for reporting regarding progress and problems related to the modifications specified?*
- *dissemination of information regarding the Title IX grievance procedure and/or grievance decisions and their implications--Is information regarding the purpose and use of the grievance procedure available to all students and employees? Is information regarding grievance decisions and their implications made available to all students and staff so that they may better understand both their rights and responsibilities for nondiscrimination?*

- *training of staff regarding grievance processing, Title IX requirements, and grievance decisions and their implications--Are staff provided training regarding their responsibilities for grievance processing and the implementation of grievance decisions? Are staff provided training in specific areas and skills required to ensure nondiscrimination as required by the Title IX regulation and grievance decisions?*

As you read each problem situation, try to determine which one of these categories is most relevant to the problem described and why. Then try to identify the kinds of actions which might have been taken to avoid the problem."

After reviewing these instructions, the facilitator should work through a sample problem analysis with the total group. She/he should ask participants to take a moment to read the problem situation, then she/he should pose the worksheet questions to the group for their response. If no response is forthcoming, the facilitator may then suggest responses. (She/he may refer to Worksheet 3A for this purpose, but she/he should not call participants' attention to this answer sheet at this time. This should not be done until after completion of the small group discussions.) In working through the sample analysis with the group, the facilitator should be careful to provide only one piece of information at one time, and wait for participants to consider this and supply additional information.

When one analysis has been completed in the total group, the facilitator should remind participants to form groups of four persons and to work through the rest of the analyses in these groups. Approximately 15 minutes should be provided for this portion of the activity. Participants should be encouraged to consider the situations thoroughly, rather than rushing to complete all of them. As the discussions proceed, the facilitator should move through the room to identify issues which should be raised in the total group processing or to provide any assistance which may be required.

(The facilitator should also remind participants that they are to work only on Part One of the worksheet; Part Two will be considered later if time permits, or participants may return to this part after they leave the workshop.)

C. Total group processing (10 minutes)

After participants have spent approximately 15 minutes in small group discussions, the facilitator should reconvene the total group and process the activity.

It may be useful to begin the processing by asking participants to share their responses and analyses of one of the remaining four problem situations. Rather than discussing all of the situations, the facilitator may refer participants to Worksheet 3A (provided in an appendix of the participants' materials), ask participants to review it briefly, and take any questions which may result. If sufficient time remains, the facilitator should attempt to steer the discussion to the implications of this activity for the implementation of Title IX grievance procedures in the participants own school districts. This may be done by means of a question such as:

Do you see any similarities between these problem situations and the kinds of problems you experience in your own agencies? Do you see steps that you might take to alleviate the problem in your district?

The facilitator should close the activity with points such as the following:

- An effective Title IX grievance procedure is one of the most important mechanisms for ensuring continuing compliance and monitoring of Title IX compliance efforts.

- Implementation of an effective Title IX grievance procedure requires active efforts to ensure that:

  - grievance decisions are implemented

  - staff and students are informed of grievance decisions and resultant modifications of agency policy, practice, and procedures

  - staff with responsibility for grievance decisionmaking are trained in the requirements of Title IX and principles of equitable grievance processing

  - staff with responsibility for implementing grievance decisions are provided necessary information and training to enable them to comply with their responsibilities

- An effective Title IX grievance procedure can provide channels and mechanisms of communications which may be useful in other agency programs and activities.

VII. REVIEWING AND UPDATING THE TITLE IX SELF-EVALUATION

TIME REQUIRED: 20 MINUTES

(A) Lecturette--"Reviewing and Updating the Title IX Self-Evaluation" (5 minutes)
(B) Individual activity--"Evaluating Your Title IX Self-Evaluation" (10 minutes)
(C) Total group processing (5 minutes)

Purpose of the activity:

The purposes of this activity are:

- to review and assess the content and process used in the implementation of the self-evaluation required by the Title IX regulation
- to identify those areas of weakness in the self-evaluation which may suggest reassessment or updating of the self-evaluation

Materials needed:

For participant use:

- "Evaluating Your Title IX Self-Evaluation"--Administrator Worksheet 4

For facilitator use: None

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review this total session outline and participant materials
- read suggested comments and adapt them to unique group needs and facilitator style

Procedure:

A. Lecturette--"Reviewing and Updating the Title IX Self-Evaluation" (5 minutes)

The purpose of this activity is to provide participants with a structure for reviewing the content, process, and follow-up of the self-evaluation conducted in their district. The examination of the self-evaluation is provided as a means of assisting participants to evaluate the adequacy of self-evaluation procedures and to identify possible needs for reassessment or updating of the self-evaluation.

The facilitator should open the activity with remarks such as the following:

"The requirement of the Title IX regulation that all covered agencies must complete a self-evaluation to identify possible discrimination was based on the realization that many of the forms of sex discrimination are not within our conscious awareness. The primary purpose of the self-evaluation was to ensure that a systematic effort be made to review policies, programs, and practices which may be discriminatory on the basis of sex.

"After agencies had made the assessment of possible forms of sex discrimination, the self-evaluation required that the agency make a determination of the corrective and remedial steps which were needed to eliminate any discrimination or the effects of past discrimination. The regulation further required that the agency must keep on file records which would document any corrective or remedial steps which were taken.

"The initial self-evaluation was to have been completed by July 21, 1976. At the time that many of us were involved in the self-evaluation procedures our knowledge of the regulation and the procedures for reviewing policies, programs, and practices for sex discrimination probably was not as extensive as it is today. In view of our experiences since the first self-evaluation, it is advisable that we review and evaluate the scope, process, and general adequacy of the self-evaluation, and identify those steps which may need to be taken to strengthen the evaluation or to update the findings of the self-evaluation.

"If you will turn to Administrators Worksheet 4 entitled 'Evaluating Your Title IX Self-Evaluation' you will find a structure for evaluating the self-evaluation conducted in your district. You'll note that the worksheet consists of six sections. The first section is designed to provide information regarding your knowledge of the self-evaluation; the next three sections examine the content, the process, and the follow-up and monitoring of the self-evaluation; and the last two sections ask you to make an assessment of the strengths of the self-evaluation and the improvements that are needed to ensure the adequacy of the self-evaluation procedure.

"Would you please take a few minutes to read through the types of questions that are included in the worksheet. After you've had an opportunity to review the material, we'll be discussing the worksheet in the total group."

B. Individual activity--"Evaluating Your Title IX Self-Evaluation" (10 minutes)

The facilitator should allow participants about 10 minutes to review the questions provided on Administrator Worksheet 4--"Evaluating Your Title IX Self-Evaluation." After most of the group appears to have reviewed the worksheet, the facilitator should process their impressions of the worksheet in the total group.

C. Total group processing (10 minutes)

The primary purpose of the review of the worksheet is to provide participants with a structure for evaluating their Title IX self-evaluations. It is probable that many participants do not have adequate information to answer all of the questions provided, but it is important that participants are knowledgeable as to the questions which should be considered in the evaluation of the district self-evaluation.

When the facilitator is reasonably certain that participants have had an opportunity to read through the questions, she/he should reconvene the group and process their reactions to the questions which are included. Questions which may be used for this purpose include:

- As you glanced through the areas covered in Administrator Worksheet 4, how would you describe the self-evaluation which was implemented in your district?

- What would you estimate are the strengths of your district's self-evaluation?

- What types of things do you believe need to be reassessed or updated at this point in time?

- How could you use the worksheet as a guide for ensuring the adequacy of the self-evaluation?

VIII. SUBMISSION OF COMPLIANCE ASSURANCE FORMS TIME REQUIRED: 10 MINUTES

(A) Comments--"The Compliance Assurance Forms Requirement" (10 minutes)

Purpose of the activity:

The purpose of this activity is:

- to provide participants with a reminder of the Title IX requirement for the submission of compliance assurance forms

Materials needed:

For participant use: None

For facilitator use: None

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review this total session outline and all participant materials
- read suggested comments and adapt them to fit unique group needs and facilitator style

Procedure:

A. Comments--"The Compliance Assurance Forms Requirement" (10 minutes)

The purpose of this activity is to provide participants with information regarding the fifth procedural requirement of the Title IX regulation--the submission of compliance assurance forms. This purpose may be fulfilled with comments such as the following:

"All education agencies and institutions receiving Federal funds are required to submit assurances of Title IX compliance to the Office for Civil Rights as a condition of eligibility for Federal funds. Form 639 was developed for this purpose, and copies were mailed to all recipients of Federal funds. The initial deadline for submission of the form was September 30, 1976; a second deadline was established for March 1977, and the Office for Civil Rights is now reviewing those agencies who have not submitted assurances.

"A report of the compliance assurance forms dated February 15, 1977 indicated that nearly half of the institutions and agencies which had submitted the forms were in noncompliance with the Title IX regulation. Most of the institutions and agencies had not established grievance procedures or completed the institutional self-evaluation.

"Education agencies should take steps to ensure that they are in compliance with the Title IX regulation and submit the necessary compliance forms. Such actions is likely to:

- *protect the agency from possible compliance reviews by the Office for Civil Rights*

- *ensure the eligibility of the agency as recipients of Federal funds."*

The facilitator should allow time for any questions which participants may wish to raise.

IX. SUMMARY AND CLOSING TIME REQUIRED: 5 MINUTES

(A) Summary and Closing Comments (5 minutes)

Purpose of the activity:

The purpose of this activity is:

- to provide participants with a summary of Application Session A and to prepare them for the activities which are included in Application Session B for Administrators

Materials needed:

For participant use: None

For facilitator use: None

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review this total session outline and all participant materials
- read suggested comments and adapt them to fit unique group needs and facilitator style

Procedure:

The purpose of the summary and closing comments is to provide participants with a sense of closure on the procedural requirements of the regulation and to set the stage for the activities which are planned for Application Session B. This may be implemented by providing comments such as the following:

A. Suggested comments (5 minutes)

"The activities of Application Session A for Administrators have focused on an indepth review of the five procedural requirements of the Title IX regulation and the ways that they might be implemented in local education agencies. These procedural requirements provide the structure for continuing Title IX implementation and are essential to effective implementation of the regulation.

"Each of these procedures is designed to meet a necessary facet of Title IX implementation and each provides a needed management tool for the administration of programs which can result in the delivery of equitable services for all students. In addition, they provide the methods by which systemic change is possible. If Title IX is to have meaning beyond the efforts of individuals, it will require the efforts of persons such as you to ensure that the intent and principles of Title IX are solidly incorporated in the structure of the administrative procedures and practices.

"The activities of Application Session A provide us with the foundation which is needed for Application Session B. During the next session we will

turn to the day-to-day problems of monitoring Title IX implementation and work to solve the problems which arise daily. Application Session B provides you an opportunity to test your understandings of the implementation of Title IX in the daily operation of a school district."

The facilitator should announce the time and place of the next Application Session before dismissing the group.

MONITORING TITLE IX IMPLEMENTATION

Outline For Application Session B For Administrators,
Title IX Coordinators, and Board Members

Prepared for the
Title IX Equity Workshops Project
of the Council of Chief State School Officers

by the
Resource Center on Sex Roles in Education
National Foundation for the Improvement of Education

SEX EQUITY IN ADMINISTRATION:
MONITORING TITLE IX IMPLEMENTATION

APPLICATION SESSION B FOR ADMINISTRATORS,
TITLE IX COORDINATORS, AND BOARD MEMBERS

Session Specifications

Session population: Elementary-secondary school administrators, Title IX coordinators, and board members of local education agencies

Session objectives: The objectives for Application Session B for administrators, Title IX coordinators, and board members include:

- to provide participants with a framework for understanding the monitoring process necessary for management of Title IX compliance activities
- to provide participants with criteria for evaluating the effectiveness of their Title IX compliance activities
- to provide participants with experiences in problem solving activities which are related to Title IX compliance
- to provide participants with a procedure for evaluating their styles of problem solving

Time required: Three hours

Materials needed:

For participant use:

- "Improving My Skills in Monitoring and Problem Solving"--Administrators Worksheet 5
- "It's Up to You: Title IX Decisionmaking in Fernwood Schools"--Administrator materials for in-basket exercise
- "Improving Title IX Implementation"--Administrators Worksheet 15
- "Workshop Evaluation Form"--Administrators Worksheet 16

For facilitator use: None

Facilitators required: Although the session may be conducted by a single person, it is preferable in most cases to share responsibilities among several persons (female and male) who possess both subject matter expertise and group process skills, and who represent racial-ethnic diversity.

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review this outline for the session and all participant materials

- prepare lecturettes and comments needed for the various sessions:

- Introductory Comments	(section I)	10 minutes
- Introductory Comments	(section II)	5 minutes
- Increasing the Effectiveness of Title IX Implementation	(section III)	15 minutes
- Introductory Comments	(section V)	5 minutes
- Introductory Comments	(section VI)	5 minutes
- Summary Comments	(section VII)	5 minutes
- Closing Comments	(section VII)	5 minutes

SEX EQUITY IN ADMINISTRATION:
MONITORING TITLE IX IMPLEMENTATION

APPLICATION SESSION B FOR ADMINISTRATORS,
TITLE IX COORDINATORS, AND BOARD MEMBERS

Session B Agenda

I.	INTRODUCTORY COMMENTS	TIME REQUIRED:	10 MINUTES
II.	ESTABLISHING A FRAMEWORK FOR MONITORING TITLE IX	TIME REQUIRED:	25 MINUTES
	A. Introductory comments	(5 minutes)	
	B. Individual activity--"Establishing a Framework for Monitoring Title IX"	(5 minutes)	
	C. Small group discussions	(10 minutes)	
	D. Total group processing	(5 minutes)	
III.	STRATEGIES FOR MONITORING TITLE IX IMPLEMENTATION	TIME REQUIRED:	25 MINUTES
	A. Lecturette--"Increasing the Effectiveness of Title IX Implementation"	(15 minutes)	
	B. Questions and answers	(10 minutes)	
IV.	BREAK	TIME REQUIRED:	10 MINUTES
V.	"IT'S UP TO YOU--TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS"--AN IN-BASKET EXERCISE IN TITLE IX MONITORING	TIME REQUIRED:	75 MINUTES
	A. Introductory comments	(5 minutes)	
	B. Individual and group activity--"It's Up to You: Title IX Decisionmaking in Fernwood Schools"	(45 minutes)	
	C. Total group processing	(25 minutes)	
VI.	IMPROVING TITLE IX IMPLEMENTATION	TIME REQUIRED:	20 MINUTES
	A. Introductory comments	(5 minutes)	
	B. Individual activity--"Improving Title IX Implementation"	(10 minutes)	
	C. Total group processing	(5 minutes)	
VII.	SUMMARY AND CLOSING	TIME REQUIRED:	15 MINUTES
	A. Summary comments	(5 minutes)	
	B. Completion of evaluation sheets	(5 minutes)	
	C. Closing comments	(5 minutes)	
		TOTAL TIME REQUIRED:	180 MINUTES

I. INTRODUCTORY COMMENTS TIME REQUIRED: 10 MINUTES

Purpose of the activity:

The purposes of this activity are:

- to introduce any facilitator(s) who may be new to the group
- to review the objectives and activities of Session B

Materials needed: None

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review the total session outline and participant materials
- review suggested comments and adapt to accommodate the unique needs of the group and facilitator style

Procedure:

The facilitator and any persons assisting with the session should be introduced if they have not been before the group before. Appropriate housekeeping information should be shared with the group. Comments such as the following might be given to introduce the objectives and activities:

"During the general sessions and the Application Session A we've reviewed the requirements of the Title IX regulation and the procedural requirements for its implementation. During this session we will turn to two related activities which must be included in Title IX compliance activities--monitoring and problem solving.

"Our objectives for this session will be to provide a framework for understanding the monitoring process and the ways we can increase our monitoring skills. Then we will be looking at problems which are likely to arise which are related to Title IX implementation and see how these may be solved. Lastly, we'll be examining the steps we can take to increase our effectiveness in monitoring and problem solving related to Title IX."

II. ESTABLISHING A FRAMEWORK FOR MONITORING TITLE IX

TIME REQUIRED: 25 MINUTES

Purpose of the activity:

The purposes of this activity are:

- to provide a framework for understanding the Title IX monitoring process
- to examine and to evaluate the ways we monitor activities related to Title IX implementation

Materials needed:

For participant use:

- "Improving My Skills in Monitoring and Problem Solving"--Administrators Worksheet 5

For workshop facilitator use: None

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review the total session outline and all participant materials
- review suggested lecturette and adapt it to accommodate unique group needs and facilitator style

Procedure:

A. Introductory comments (5 minutes)

The purpose of this first activity is to provide a framework for understanding the monitoring process by defining its components and providing a method of examining the participants' own experiences as a means of extending their understandings of monitoring.

Suggested introductory comments:

"A unique characteristic of the Title IX regulation is its specification of the first procedural steps which must be taken to achieve compliance. During the preceding sessions we've seen how the procedural requirements of the Title IX regulation provide a structure for initial compliance activities and lay the foundation for continuing implementation and action steps.

"The next steps for compliance will vary according to local situations and circumstances and they cannot be prescribed for all districts. These next steps may only be determined by the implementation of monitoring efforts which provide us with a method for identifying both isolated compliance problems and the more general or systemic needs which are suggested by the recurrence of various problems.

"Monitoring is the process we use for assessing the degree to which we are achieving our goals and for identifying those activities which can further our progress. Monitoring is particularly important as we enter into new efforts such as achieving Title IX compliance, because it helps us to identify the changes we've accomplished and the positive outcomes of our efforts as well as to identify individual problems and the general areas where systematic attention is needed.

"Monitoring consists of three primary activities:

- Collection of data or information

The first step in any monitoring effort is to develop methods of collecting information as to what is going on or what is happening. Information is collected through formal methods such as surveys or reports, or more informal methods such as talking to others, observing how things operate, or observing the reactions of others.

- Analysis of information or data collected

After information or data has been collected, it is essential that we examine the information and determine what it really means. For example, we can look at a report of the Title IX grievances filed and have a fairly good idea as to whether or not the grievance procedure is being used. If, however, we wish to understand the problems involved in these grievances, it will be necessary to analyze the types of grievances, the sources of grievances, the ways the grievances are being processed and resolved, etc.

Similarly, if we wish to determine the accuracy of teacher or student perceptions of possible sex discrimination, we will have to examine information collected from persons representing a variety of perspectives and determine the meaning of these varying perspectives.

The purpose of any analysis activity is to determine the meaning of the information collected and its implications for future actions.

- Identifying action alternatives and priorities

The last, and most important activity in the monitoring process is identifying the action alternatives and priorities which are appropriate to the issues identified. As we review the information collected we develop some ideas as to:

- progress which has been made in specific areas of concern
- particular problems which emerge or continue
- strategies for consolidating, increasing, and/or rewarding the progress which has been made
- strategies for dealing with problems which have been identified
- areas in which further collection or analysis of information is desirable

If the information we collect indicates that only one or a few persons are involved in an issue, we then develop individual problem-solving strategies for dealing with them.

If the information suggests that the problem or situation is a general problem involving a substantial number of employees or students, program efforts or systematic activities should be undertaken for dealing with the problem.

"It is important to understand that monitoring is a responsibility of all persons involved in schools even though the types of monitoring may vary. Each of the groups involved in this session has responsibility for a different level of monitoring activity:

- *Board members have responsibility not only for establishing district policies of nondiscrimination, but also for monitoring to ensure that these policies are integrated into the programs and practices of the schools.*

- *Administrators have responsibility not only for the communication of district policy, but also for the development of programs and actions which can realize the intent of nondiscriminatory policies.*

- *Title IX coordinators have responsibility not only for assisting with the clarification of policies and procedures, but also for the day-to-day monitoring necessary to provide active assurance that nondiscrimination is being observed throughout all programs and practices.*

"These monitoring responsibilities necessitate that each of us becomes more aware of our monitoring functions and how we may carry them out in a deliberate and effective fashion. The first thing we wish to examine in this session is how we normally carry out monitoring activities and how we can become more thorough and systematic in our monitoring activities."

B. Pass out copies of the worksheet entitled "Improving My Skills in Monitoring and Problem-Solving." Ask participants to take about 5 minutes to complete the worksheet, explaining that it is designed to assist them in:

- thinking about the methods they generally use for collecting, analyzing, and acting on information regarding Title IX implementation/compliance

- identifying those areas where skills may be expanded

C. Small group discussion

After participants have had approximately 5 minutes to complete their worksheets individually, ask them to form groups of six to discuss their responses. Suggest that they meet with persons from districts other than their own.

- consider the ways that might increase their effectiveness in each element of the monitoring process

Ask them to consider the following questions as they discuss their worksheets:

- How similar or different are the styles of group members for collecting data, analyzing its implications, and determining action steps?

- How can the effectiveness of Title IX equity monitoring be increased?

Explain to participants that they will have approximately 10 minutes for their discussion.

D. Total group processing (5 minutes)

After participants have had approximately 10 minutes for small group discussion, the facilitator should initiate a discussion in the total group.

Facilitators should open the discussion by asking participants to share some of their answers to the questions regarding Title IX monitoring--the data they use and how they obtain it; the ways they analyze it; and the ways they determine the action steps to be taken. The facilitator should take each question in turn and ask for sharing of responses. When several participants have shared responses to each of these questions, the facilitator should then ask whether the methods and procedures used for Title IX monitoring have any unique aspects, or whether they are all the same as those utilized in monitoring other school program areas.

In most group discussions, two things usually emerge:

1) participants may have a difficult time responding to the questions; they have a difficult time describing monitoring in any systematic fashion and they do not relate the monitoring of Title IX to all administrative monitoring activities.

2) participants do not consider the five compliance procedures discussed in the earlier session in relation to their significance for continuing Title IX monitoring efforts.

After a brief sharing of participant responses, the facilitator should then pose the question:

How do the five compliance procedures discussed in the earlier session relate to continued monitoring of Title IX implementation efforts?

The key point that should be made in the subsequent discussion is that effective implementation of the five compliance procedures is of major significance in the implementation of effective Title IX monitoring efforts. In leading this discussion, the facilitator should take care to point out that taken together, the five procedures, if effectively implemented:

- maximize the number of persons involved in the monitoring effort
- specify the kinds of information or data which are to be collected
- specify procedures for the submission of data or information on a continuing basis
- delineate criteria against which information is to be analyzed

- specify a person responsible for the coordination of monitoring efforts

These points will be expanded in the following lecturette but it is helpful if the facilitator can introduce them at this time.

III. STRATEGIES FOR MONITORING TITLE IX IMPLEMENTATION

TIME REQUIRED: 25 MINUTES

(A) Lecturette--"Increasing the Effectiveness of Title IX Implementation" (15 minutes)
(B) Questions and Answers (10 minutes)

Purpose of the activity:

The purposes of this activity are:

- to expand participants' understanding of how to improve the effectiveness of the Title IX monitoring process
- to provide a series of action alternatives which may support Title IX implementation and the attainment of sex equity

Materials needed: None

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review the total session outline and all participant materials
- review suggested lecturette and adapt it to accommodate unique group needs or facilitator style

Procedure:

A. Lecturette--"Increasing the Effectiveness of Title IX Implementation" (15 minutes)

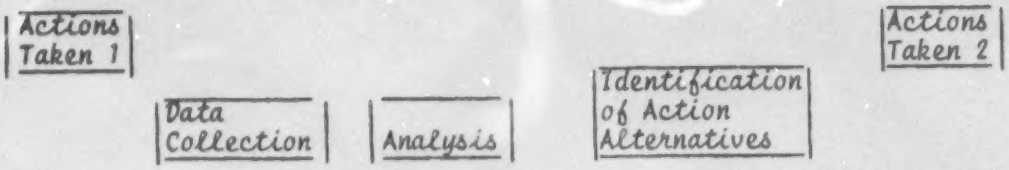
The lecturette is designed to extend participants' understanding of the monitoring process. It covers two subjects--the significance of monitoring for Title IX implementation and the ways that we can increase the effectiveness of monitoring activities.

Suggested lecturette:

"During the last session we identified the three primary activities of monitoring--data collection, data analysis, and identification of action steps--and the structures that are provided by the procedural requirements of the Title IX regulation which facilitate these activities. Far too often, however, we tend to treat the procedural requirements as isolated activities which are carried out for compliance purposes and fail to see how they must be incorporated into the ongoing structure and management of district activities.

"One way to view the function of monitoring activities is to visualize how they relate to the Title IX implementation process. A visual representation of the cylical nature of monitoring activities may be visualized as:

TITLE IX IMPLEMENTATION PROCESS



"The Title IX regulation and the five procedural requirements establish a structure for monitoring activities by:

- maximizing the number of persons involved in the data collection process Two of the procedural requirements of the Title IX regulation open the monitoring process to a number of groups. The requirements of policy notification to students, parents, and employees and the establishment of a grievance procedure operate to maximize the number of persons potentially involved in the monitoring effort.

- specifying the types of data or information to be collected The areas covered by the Title IX regulation and reviewed during the institutional self-evaluation provide an outline for continuing data collection.

- specifying the procedures for the submission of data or information on a continuing basis Maintenance of a grievance procedure for the resolution of student and employee complaints provides a mechanism whereby any student or employee may submit information regarding Title IX implementation problems at any time.

- specifying the criteria against which the data or information is to be analyzed The provisions of the Title IX regulation establish the basic criteria against which data analysis for compliance may be compared.

- specifying a person responsible for coordination of monitoring efforts The requirement that a Title IX coordinator be designated is directed toward ensuring that responsibilities for ongoing monitoring of compliance (or for coordination of monitoring efforts) are designed.

"If the procedural requirements of the Title IX regulation are implemented effectively, they will provide a structure for ongoing monitoring activities. Often we attempt to monitor programs on a crisis-by-crisis basis. Although this type of monitoring responds to the immediate problems, it is unlikely that such efforts will lead to lasting change and the attainment of educational equity.

• Increasing the effectiveness of monitoring activities

"Each activity involved in the monitoring process requires ongoing attention and different competencies and skills for its effective performance. Let's examine each of these activities in terms of the skills required and the ways that we can increase our effectiveness in carrying out these monitoring activities.

"The first activity, data collection, is an essential component of all management and administrative efforts. Effective data collection is likely to result when data is collected from a variety of sources and there is effort to specify and extend the sources of information.

"In thinking about your data collection activities it is useful to consider four questions for evaluating the adequacy of data collection efforts.

- Do you collect data from an adequate number of sources?

- Do the sources of your data collection represent varying points of view?

- Do you identify specific data needs and systematically attempt to collect the data?

- Do you collect data on a continuing or periodic basis?

"The importance of making an effort to collect data from a variety of sources is emphasized when we consider that most of us tend to organize our lives around a routine. We usually see the same people regularly, interact with them, and rely on them for information. Although this provides stability, it tends to limit the types of data we receive.

"An administrator who does not make an effort to get out of an isolated office is unlikely to have an understanding of the problems of others or the frame of reference of others. It is important that those who have responsibility for monitoring activities, particularly in new areas such as Title IX compliance, make a deliberate effort to collect information from persons who represent a variety of different perspectives.

"It should be emphasized that data collection should be as specific and focused as possible. If we are not clear about the types of information that we are seeking, we may not collect the relevant information. For example, an administrator may ask building personnel for a report on Title IX implementation. The responses obtained are likely to be general and, for this reason, provide only limited information. If, however, the request for a report lists specific types of information desired (e.g., the number of grievances filed in the school, the attitudes and reactions of staff, communications with staff and parents, etc.), there is greater likelihood that relevant information will be obtained.

"The second activity, data analysis, is crucial to the monitoring process. Questions which should be considered to determine the effectiveness of data analysis procedures are:

- Do you usually establish a framework and criteria for the analysis of data?

- Do you make specific assignments of staff for the analysis of data?

- Have you established procedures for the regular communication of data analysis?

"The analysis of data is crucial to the Title IX monitoring process. Each of us develops methods of analyzing data to determine the meaning of the data. Frequently, our capability to analyze data is limited by the fact that we have

not specified the criteria to be used in the analysis of information. For example, we may receive a report of the numbers of Title IX grievances which have been filed in the district, but unless the information is analyzed according to types of grievances, sources of grievances, distribution by school of grievances filed, etc., the information will be of little practical benefit.

"An effective Title IX coordinator should ensure that regular data analysis is undertaken in those areas related to Title IX implementation activities, e.g., grievances, progress of remedial steps, special programs, etc. If the Title IX coordinator is to carry out these data analysis functions, it is essential that adequate time be provided the person and that assistance and training be provided when necessary.

"Once data has been analyzed, it must be communicated to others who need or can use the data. For example, it is important that board members, administrators, and interested community groups obtain copies of relevant reports and data analysis.

"The third activity in monitoring is the identification of action steps. This is the critical outcome of all monitoring activities. It is on the basis of the understandings that we can develop through the collection and analysis of data that we can identify appropriate action steps which may be taken.

"Questions which should be asked while identifying action alternatives are:

- Have we considered the full range of actions which could be taken?

- What are the unique requirements of the situation which would determine the best selection of action strategies?

- What combination of actions should be considered?

"Change is likely to result when a number of pressures or forces may be brought to bear on a specific problem. These forces may be such things as the addition of new information, clarification of the intent of policies, support programs, etc. Our effectiveness increases as we are able to identify multiple actions which may be taken and 'match' them to the specific problems identified."

"In addition, it is important that efforts be made to relate individual experiences or problems and organizational needs. For example, if we find a single instance of a staff member attempting to discourage males and females from enrolling in vocational education classes which are nontraditional for their sex, the problem should be dealt with on an individual basis. If on the other hand, we find that such discouragement of student enrollment is a general pattern of counseling and instructional staff, an organizational action or program such as staff training is suggested.

"Knowledge of the types of organizational actions that may be taken is essential for change. Some of the organizational actions or programs which are available as methods of increasing educational equity are:

- Policy development/clarification/communication

The written policy of a district establishes the guidelines on 'rules' which are to be followed in carrying out educational programs and activities. Most organizations or districts operate on the basis of formal policies--those things which are written down as policies--and informal policies--the unwritten norms and assumptions.

A primary advantage of the formal policies is that they are available to everyone and may be used as a concrete statement of institutional goals and rules. A major problem of informal policies is that they may not be communicated to all persons, and may thus result in inconsistent behaviors.

One of the most obvious actions which can be taken with respect to Title IX related matters is the development/clarification/communication of policies. Policy may need to be expressed in a variety of levels of specificity. For example, the Title IX procedural requirement calls only for the development of a general policy statement of nondiscrimination. If this is to have meaning for the actual operation of educational programs, however, it is usually necessary that policy guidelines or clarifications be developed to specify the meaning of the policy. These policy or policy guidelines serve as the criteria against which Title IX related matters may be considered.

Common Title IX policy-related problems result not only from the lack of sufficient policy clarification but also from the lack of policy updating for consistency. For example, although districts have enacted general policies of nondiscrimination, many have not used these as a basis for reviewing other policies (e.g., health and insurance service contracts, collective bargaining agreements, student discipline and curriculum policies, etc.). Such a review is necessary if equity is to be achieved.

Policy development/clarification/communication may be appropriate as an action step when:

- a new program or effort is being launched
- problem behaviors within the system seem to be generalized and random
- new problems or perspectives have been identified which need to be clarified and communicated to others
- a decision has been made regarding a controversial issue
- an inconsistency in policies or practices is identified

- Study or investigation

The importance of systematic data collection and identification of corrective and remedial actions was recognized in the Title IX regulation by its requirement for an institutional self-evaluation. The use of studies or investigations is an important method of designing action steps. Evaluations/studies must be conducted periodically as a means of identifying remaining problems and progress. A re-evaluation or

updating of the institutional self-evaluation would be one method of assessing progress and identifying remaining problems.

Studies and investigations should be used when:

- a new and relatively unknown problem is identified
- it is important to establish a baseline as to the pervasiveness of a problem
- the goal is to measure progress or change

• Staff training

Ensuring that all staff have both an understanding of the intent and the implications of policy and the skills for incorporating such policy into school programs is a continuing task. Just as any new effort requires extending our knowledge, all staff need skill training in the ways that discrimination and bias may be manifest in their specific roles. Staff training provides a primary method for meeting this need.

Staff training should be used when:

- a new program is being implemented
- there is evidence of generalized problems or lack of understanding throughout the district
- training would contribute to the ongoing professional development of staff

It is important to note that staff training programs related to Title IX should provide for cumulative, sequential development of staff. As training within an area progresses, it should move from the awareness level to increasingly specific and skills-based levels.

• Community involvement

Another action step that is available for achieving sex equity and for Title IX implementation/monitoring is an ongoing program of community outreach and involvement. This need was recognized in the Title IX regulation through the required nondiscrimination policy notification of elementary and secondary school parents.

Continued community involvement is not only a means of enhancing Title IX implementation but also an essential component of good school administration. The primary goal of such involvement should be the assessment of community needs relevant to school programs and the communication of the intent and implications of school policies and programs to community members.

Community involvement efforts should be used when:

- a new problem is being identified
- new programs are being implemented

- there is need for periodic reporting of progress to the community

- there are groups who have particular interests and can provide support for specific programs

• Program modification/development

Achievement of Title IX compliance or of sex equity may, in some cases, require the modification of existing programs or the development of new programs.

For example, many institutions are required to undertake substantial modifications of their athletics programs in order to provide equal athletic opportunities for females and males. In some institutions the disparity between opportunities has been so great in the past as to require the development of an entirely new women's athletic program in order to provide equity.

These athletics examples are examples of the use of program modification/development as a corrective step taken to ensure Title IX compliance--it corrects illegal discrimination in policy and programs. Program modification/development may also be taken as remedial action under Title IX--action which is taken to remedy the effects of past discrimination. Examples of program development for this purpose might involve implementation of a vocational education awareness program designed to expose all students to those course options which were previously restricted to students of one sex; or of an administrative internship/placement program for females who have been discouraged from applying for administrative positions in the past.

Program development may also be utilized to increase sex equity in areas not covered by Title IX requirements. For example, programs might be developed to combat bias in instructional materials, bias which is a significant barrier to equity. Such programs might range from a single training session to prepare teachers, librarians, and counselors to recognize and combat bias in their daily activities, to multiple, coordinated activities such as developing criteria content analyses of existing books, and developing supplementary curriculum materials and activities.

Special programs should be developed when:

- a pervasive problem has been identified

- multiple activities are needed to achieve identified objectives

- a long-term effort involving several individuals or departments is required

• Budget allocations

Implementation of efforts to achieve Title IX compliance and sex equity may, in some instances, require budget allocations or reallocation of existing funds. In most situations, there will be competition for scarce resources and difficult decisions must be made. Such decisions should be made in such a way as to ensure the equitable allocation of resources among the various needs of students and staff

and the support of programs and activities required to provide equal opportunity.

Budget allocations are needed when:

- *necessary actions cannot be integrated within existing area or program budgets*

- *there is need to assess the impact of funds expended for specific programs*

- *Disciplinary actions*

It is recognized that there are instances when it may be necessary to reprimand or discipline personnel who have deliberately obstructed Title IX implementation. This disciplining may vary from reprimands or mandating specific actions to withholding various rewards.

Disciplinary actions should be taken when:

- *there is clear evidence that there was deliberate obstruction of Title IX-related efforts*

- *there is clear evidence that actions reflect consistent patterns of behavior*

- *there is evidence that the rights of another were knowledgeably violated*

"These organizational actions are some of the strategies that administrative and guidance personnel have available as methods of Title IX implementation. Knowledge of and consideration of the range of alternative strategies increases the available options for decision-making. These actions or strategies represent a pool from which appropriate actions may be selected during the action phase of the monitoring process.

"The desired outcome of monitoring efforts is to identify those actions which are needed to increase the effectiveness of our efforts and the attainment of our goals. Each phase of the monitoring process should contribute to these outcomes."

B. Questions and answers (10 minutes)

Provide opportunity for comments, and/or questions and answers before moving on to the next activity. Points which should be emphasized during the response to the questions include:

- Monitoring Title IX implementation should be integrated with efforts to monitor the total educational program.

- The success of many implementation/change efforts is dependent on the appropriate "matching" of action alternatives to the requirements of the situation.

- The likelihood of success is increased when multiple actions are initiated which are targeted to the same or complimentary goals.

IV. BREAK

TIME REQUIRED: 10 MINUTES

V. "IT'S UP TO YOU: TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS"--an in-basket exercise in Title IX monitoring

TIME REQUIRED: 75 MINUTES

(A) Introductory comments (5 minutes)
(B) Individual and group activity--"It's Up to You: Title IX Decision Making in Fernwood Schools" (45 minutes)
(C) Total group processing (25 minutes)

Purpose of the activity:

The purposes of this activity are:

- to provide participants with an opportunity to evaluate their understandings of Title IX and their skills in problem solving
- to help participants extend their skills in identifying action alternatives

Materials needed:

For participant use:

- eight copies of "Title IX Decisionmaking in Fernwood Schools"-- Worksheet for each participant
- eight copies of "Title IX Decisionmaking in Fernwood Schools"-- Worksheet for each group of six participants
- one set of "Briefing Sheet" and eight in-basket items for each group of six participants
- one set of "Worksheet Response" materials for eight in-basket items for each group of six participants

For facilitator use: None

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review the total session outline and all participant materials
- review in-basket exercise materials, particularly the in-basket items and the worksheet responses

Procedure:

The purpose of the in-basket exercise is to provide participants with an opportunity to evaluate and extend their understandings and skills in dealing with day-to-day Title IX implementation problems. In this exercise participants are to test their abilities to analyze data and to specify alternative action steps, as required in the last two stages of monitoring.

In this exercise participants are asked to review Superintendent Norris's in-basket, which contains eight memos and letters dealing with Title IX related issues.* Participants are asked to work in teams of six. Each participant will be asked to read the letters and memos and to join a discussion team to complete the worksheets.

At the close of the exercise, the teams' responses to the worksheets will be discussed in the total group.

A. Introductory comments (5 minutes)

The exercise may be introduced with comments such as the following:

"During the next activity you will have an opportunity to share the experiences of Superintendent Norris as the Fernwood District Schools work to implement Title IX. During this exercise you will be testing your monitoring skills; you will be asked to analyze data and to identify alternative action steps.

"You will be asked to read eight items from the in-basket of Superintendent Norris's desk. Assume that you are Superintendent Norris and respond to the memos and letters in the Superintendent's in-basket accordingly.

"Please form groups of six persons. Each group will have a package of materials to use. First, spend a few minutes individually reading the in-basket materials and responding to the questions on the worksheets which are provided.

"When you've finished responding to the worksheets individually, discuss your responses in your small groups. Each group will be asked to complete a worksheet based on the consensus of the group for each item in the in-basket. You may find it useful to recall points made in previous workshop sessions as you discuss the questions on the worksheets."

B. In-basket review in small groups (45 minutes)

Group facilitators should remain in the room and be available to answer questions, encourage participants, and supply any missing or needed materials.

C. Total group discussion (25 minutes)

After the small groups of six have discussed their reactions and completed a group worksheet for each problem, they should be convened as a total group. The facilitator should then process at least one memo or letter by asking the group about the kinds of responses they developed. If time permits, other memos or letters could be discussed.

Copies of the worksheet responses should be distributed to participants. The facilitator should make the point that they may wish to compare their responses with those on the response sheets as a means of adding other possible action steps. The worksheet responses are <u>not</u> exhaustive and are meant only to stimulate thinking rather than provide the "right" answers.

*Facilitators should note that Superintendent Norris is assigned no gender, and should note this to participants if discussion references are made to "him" during the activity.

The facilitator may wish to help the group consider patterns in their monitoring activities. Questions such as the following may be used.

- Which problems seemed the easiest to deal with?
- Which problems seemed most difficult to deal with?
- Are there other problems which have come to your attention that concern you?
- Are there other alternatives which you have identified and found to be effective?

Summarize the exercises by making the following points.

- Effective monitoring requires continuous efforts for skills development.
- The first requirement for effective monitoring is to have a working knowledge of the Title IX regulation.
- A requirement for Title IX implementation is that continuing monitoring activities are maintained.
- Although the content (e.g., specific information) needed for monitoring education equity is unique, the process of monitoring may be applied to any educational concerns.

VI. IMPROVING TITLE IX IMPLEMENTATION — TIME REQUIRED: 20 MINUTES

(A) Introductory comments (5 minutes)
(B) Individual activity and paired discussions (10 minutes)
(C) Total group processing (5 minutes)

Purpose of the activity:

The purposes of the activity are:

- to assist participants in the identification of action steps which could assist Title IX implementation efforts in their schools

Materials needed:

For participant use:

- "Improving Title IX Implementation"--Administrator Worksheet 15

For facilitator use: None

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review the total session outline and participant materials
- review suggested introductory comments and adapt them to fit the needs of the group or facilitator style

Procedure:

A. Introductory comments (5 minutes)

The closing activity for Application Session B is important to the total session because participants are asked to identify action steps which they can use for increasing the effectiveness of Title IX implementation in their districts.

The activity may be introduced with comments such as:

"During the past two activities we've identified the steps necessary for monitoring Title IX implementation and we've reviewed some of the procedures and guidelines which might be used in finding solutions to administrative problems which are encountered in Title IX implementation efforts.

"At this time we want you to consider all of the activities which have been included in the Application Sessions and begin to identify the ways that information or procedures could be applied to improving Title IX implementation in your district. On the basis of the information covered during this workshop, what do you believe are the next steps for improving Title IX implementation in your district?

"Administrator Worksheet 15 provides you a guide for thinking about the next steps. Would you take a few minutes to complete the worksheet and begin to formulate your beginning action plans.

"When you have completed your worksheets, we're going to ask you to select a partner and compare your responses. Try to be as specific as possible in identifying actions which you can take to improve the effectiveness of Title IX implementation."

B. Individual activity and paired discussions (10 minutes)

C. Total group processing (5 minutes)

The workshop facilitator should take a few minutes to close this activity and move into the next activity. This could be accomplished by asking participants to share a few examples of specific steps they can take to increase Title IX implementation in their district.

VII. SUMMARY COMMENTS — TIME REQUIRED: 15 MINUTES

(A) Summary comments (5 minutes)
(B) Completion of evaluation sheets (5 minutes)
(C) Closing comments (5 minutes)

Purpose of the activity:

The purposes of this activity are:

- to provide participants with a general summary of the application session
- to provide participants with an opportunity to evaluate the activities included in the application session
- to provide closure for the application session and a preparation for the third generic session

Materials needed:

For participant use: "Workshop Evaluation Form"--Administrator Worksheet 16

For facilitator use: None

Facilitator preparation required:

The facilitator(s) should:

- thoroughly review the total session outline
- review suggested comments and adapt them to accommodate unique group needs and facilitator style

Procedure:

A. Summary comments (5 minutes)

The summary comments should provide participants with a review of the major purposes of the session and reinforce the major learnings of the session. Comments such as the following would be appropriate.

"This session has been directed to the specific responsibilities that educational decisionmakers and administrators must take to achieve compliance with Title IX. During the first part of the session we reviewed the procedural activities which are required by the Title IX regulation and attempted to gain some insight as to the adequacy of the ways these procedures have been implemented in our school systems. Later, we turned to the ongoing processes that must be maintained for continuing Title IX compliance and for the attainment of educational equity--monitoring and problem solving. Although the focus of monitoring and problem solving activities differ for administrators, Title IX coordinators, and board members, it is essential that persons in each of these roles carry out these activities for effective Title IX implementation.

"As you carry out these activities it is important that you remember these major points:

- Title IX implementation provides an opportunity to improve all educational decisionmaking and administration. The skills to be developed in monitoring Title IX implementation and problem solving may be applied to any aspect of educational programs, policies, and practices.

- Title IX implementation is a part of a total program of increasing educational equity for all students. The activities suggested for achieving equity on the basis of sex should be adapted and utilized for achieving equity on the basis of race, of cultural background, or social class, and of physical capability. The ultimate goal of equity efforts is to ensure that all students are provided with the experiences which will prepare them for equal participation in our society and for maximizing the development of their potential.

- Those of you in this session have responsibility for the development and maintenance of organizational structures which ensure open systems of access and opportunity for all students and employees. We know that the structures and operation of an organization set the tone for the behavior of employees and students. Your behavior, individually and collectively, sets the pattern for the quality by which educational services are provided. Each of you is a visible leader within your school system and your response to Title IX issues and other equity concerns is an important factor in the quality of education provided in your schools. We hope that each of you will be a positive force for ensuring that the needs and rights of all students are a consistent concern in your schools, and that you systemically act to ensure that the total organization and individual staff members behave in ways which are consistent with this concern."

B. Completion of evaluation forms (5 minutes)

The purpose of this activity is to provide participants with an opportunity to evaluate Application Sessions A and B. This may be introduced with comments such as the following:

"We would like each of you to take out Administrator Worksheet 16 which is the workshop evaluation form. You will note that the questions provided in this evaluation are designed to obtain two kinds of information:

- Your feedback regarding this workshop--What activities were most useful? Which ones were least helpful? What do you believe you gained from the workshop? Your answers to these questions can help us to improve our future inservice training programs. Please indicate any ideas which you may have regarding activities which could assist you and others in administration in achieving sex equity.

- *Your ideas regarding future needs and follow-up--We are also asking you to help us in identifying follow-up activities and areas for future inservice training programs. Please indicate any ideas which you may have regarding activities which could assist you and other administrators to attain sex equity.*

"Would you take a moment or two to complete the form and turn it in before you leave?"

C. Closing comments (5 minutes)

The closing comments should provide participants with a sense of closure and a framework for the final generic session. Comments such as the following would be appropriate.

"This session has focused on those activities which you as an individual can undertake to increase the effectiveness of Title IX implementation in your schools. Increasing your skills in these areas is a method of improving your decisionmaking and administrative skills. We hope that each of you has identified specific steps for your personal change goals.

"The next sess : moves toward an examination of the ways we can extend our personal change goals to a consideration of organizational change. Although increasing our personal effectiveness contributed to organizational effectiveness, we must also consider organizational changes which are necessary for achieving Title IX implementation and achieving educational equity."

ENSURING PROCEDURAL TITLE IX COMPLIANCE: ESTABLISHING A FOUNDATION FOR SEX EQUITY

Participants' Materials for Session A for Administrators, Title IX Coordinators, and Board Members

Prepared for the
Title IX Equity Workshops Project
of the Council of Chief State School Officers

by the
Resource Center on Sex Roles in Education
National Foundation for the Improvement of Education

TITLE IX IMPLEMENTATION--ASSESSING YOUR PROGRESS AND PROBLEMS

Administrators Worksheet 1

1. What do you feel has been your area of greatest progress or satisfaction in implementing Title IX?

2. What do you feel has been your area of greatest difficulty or problems in implementing Title IX?

3. Of the five required compliance procedures (notification of nondiscrimination policy; designation of Title IX coordinator; implementation of a Title IX grievance procedure; implementation of a Title IX self-evaluation; submission of compliance assurances), which one have you found most useful in facilitating Title IX implementation? Why?

4. Of the five required compliance procedures, which one have you found least useful in facilitating Title IX implementation? Why?

5. What do you think would be the greatest help to you in the future in facilitating Title IX implementation and achieving sex equity in your schools?

THE ROLE OF THE TITLE IX COORDINATOR

Administrators Worksheet 2

The Title IX regulation requires that every education agency receiving Federal funds designate at least one employee responsible for the coordination of its efforts to comply with Title IX. The effectiveness of this employee, or Title IX coordinator, is one of the critical elements in the achievement of Title IX compliance and sex equity in any district. When we think of the effectiveness of this individual, we often think primarily in terms of her or his personal attributes. There are, however, a variety of institutional factors which are at least as important as personal attributes in understanding the effectiveness of the Title IX coordinator.

This worksheet is designed to assist you in considering the institutional factors which influence the functioning of the Title IX coordinator in your district. If you are a school board member or administrator, answer the questions based on your understanding of the role of the Title IX coordinator in your district. If you are the Title IX coordinator in your district, answer them from your personal experience.

The worksheet is organized in five sections:

I. Defining the role

II. Analyzing the role

III. Identifying strengths

IV. Identifying improvements

V. Accomplishing improvements

(Note: The Title IX regulation established no particular requirements for the responsibilities or authority of the Title IX coordinator. The questions on this worksheet are based on general principles of organizational and personnel administration rather than on legal guidelines.)

I. Defining the Role

What are the responsibilities of the Title IX coordinator in your school or school district? (Describe or list as many as you can before you turn the page.)

II. Analyzing the Role

The effectiveness of the Title IX coordinator is influenced by a variety of factors. Consider each of the factors suggested below and answer the questions as they relate to the Title IX coordinator in your school or school district.

A. Role delineation and communication

1. Is there a written job description for the Title IX coordinator which clearly specifies the tasks and responsibilities of the job?

2. Have all students and staff been informed of the functions of the Title IX coordinator and of their responsibilities for assisting or cooperating with the coordinator in fulfilling these functions?

B. Access to authority and information

1. To whom does the Title IX coordinator report?

2. Does the Title IX coordinator have full access to the chief executive officer in your district?

3. Are procedures specified for the regular exchange of information between the Title IX coordinator and the chief administrative officer? If so, what are they?

4. Has the right of the Title IX coordinator to obtain access to any information necessary to the performance of job responsibilities been clearly specified to all staff?

C. Scope of responsibilities of tasks

1. Does the Title IX coordinator have responsibility for:

grievance procedure administration?

grievance advocacy for:

- students?
- employees?
- the administration?

grievance resolution or decisionmaking?

compliance recordkeeping?

program development/decisionmaking?

program recommendations?

staff training/assistance/communications?

student or parent interaction/assistance/communications?

other (specify):

2. Does the Title IX coordinator have job responsibilities other than those of Title IX coordination? If so, what are they?

D. Competencies required/support available

1. How would you describe the competencies or skills required by the Title IX coordinator?

Title IX knowledge:

administrative competencies:

interpersonal competencies:

other:

2. Were these specified as criteria for the selection of the Title IX coordinator?

3. Has the Title IX coordinator received any training in these areas?

4. Does the Title IX coordinator have support from other staff with any of these competencies?

III. Identifying Strengths

As you analyze the role and responsibilities of the Title IX coordinator in your district, what do you see as strengths which have contributed to her/his effective functioning?

A. Strengths related to role delineation and communication:

B. Strengths related to access to authority and information:

C. Strengths related to scope of responsibilities and tasks:

D. Strengths related to competencies required and support available:

As you consider the strengths of your district related to the functioning of the Title IX coordinator, what suggestions/assistance would you have for other school districts interested in improving the effectiveness and functioning of their Title IX coordinators?

IV. Identifying Improvements

As you analyze the role and responsibilities of the Title IX coordinator in your district, do you see any improvements which might contribute to her/his effective functioning?

A. Improvements related to role delineation and communication:

B. Improvements related to access to authority and information:

C. Improvements related to scope of responsibilities and tasks:

D. Improvements related to competencies required and support available:

V. Accomplishing Improvements

What steps could be taken to accomplish each of the improvements you have identified?

IMPLEMENTING TITLE IX GRIEVANCE PROCEDURES

Administrators Worksheet 3

The Title IX regulation requires that all education agencies receiving Federal funds adopt and publish a grievance procedure which can provide for the prompt and equitable resolution of student and employee complaints alleging violations of Title IX requirements. In the absence of further Federal specification of standards for the procedure, education agencies have adopted a variety of procedures which demonstrate a wide range of structures and of effectiveness.

The effectiveness of the Title IX grievance procedure can be a critical variable in the implementation of Title IX and the attainment of sex equity. It can serve to:

- provide a mechanism for involving staff and students in the monitoring of Title IX compliance and the correction of sex discrimination
- increase dialogue and mutual problem solving related to issues of educational equity among the various staff levels of the education agency
- increase dialogue between the community and the schools related to issues of educational equity
- protect the education agency from Federal investigation and intervention by providing a mechanism for resolution of allegations of Title IX violations and development of necessary corrective and remedial actions at the local level

The purpose of this worksheet is to help you to increase the effectiveness of the Title IX grievance procedure in your district and to implement the procedure in such a way that it can serve the various functions listed above. The worksheet is organized in two parts:

- Part One: Implementing Title IX Grievance Procedures--Problem Analysis

  This part contains a number of sample problems in grievance procedure implementation and worksheets on which you may analyze the problems and identify actions which might prevent them.

- Part Two: Implementing Title IX Grievance Procedures--Identifying Strategies to Increase Their Effectiveness

  This part reviews several of the functions which may be served by a Title IX grievance procedure and provides a structure for identifying strategies which might be used to ensure that a grievance procedure serves these functions.

Part One: Implementing Title IX Grievance Procedures--Problem Analysis

The five situations described below are typical of the problems encountered by many administrators in the implementation of the Title IX grievance procedure. They are problems in which substantive issues of Title IX compliance may be involved (e.g., is the athletics program nondiscriminatory?), but the primary problem in each situation relates to the implementation of the Title IX grievance procedure. The problems involve such issues as: the structure of the grievance procedure; the grievance decisionmaking process; grievance follow-up and monitoring; dissemination of information regarding the grievance procedure and/or grievance decisions and their implications; and training of staff regarding grievance processing, Title IX requirements, and grievance decisions and their implications.

Following the five problem situations, you will find five problem analysis sheets. Please read each situation carefully and fill out the problem analysis sheet which corresponds to each. Be as specific as you can in your answers.

Problem One

Ms. Rivera, the Title IX coordinator in your district, is upset. During the past week, she has been very busy trying to prepare a summary and analysis of all Title IX grievances filed during the past semester for presentation at the next school board meeting. In the past three days, however, she has had to spend a total of seven hours discussing possible Title IX grievances with two parents and one student, all of whom wished to discuss problems which are outside the scope of Title IX. Ms. Rivera realizes that parents and students need information on Title IX and the grievance procedure, but feels that providing this information takes up so much of her time that she is having difficulty completing her other work.

Problem Two

Mr. Jenkins teaches metals shop in Lanier High School. He is meeting with the assistant superintendent to discuss his unhappiness with a recent grievance decision regarding participation by females in his program, particularly with that portion of the decision which relates to the use of facilities by female students. The assistant superintendent has reviewed the grievance decision and he believes it to be in accordance with Title IX requirements; this is what he tells Mr. Jenkins. Mr. Jenkins states repeatedly that he doesn't understand the reasoning behind the decision, that he feels it isn't workable, and that "teachers never have a say" in things that affect them and their classrooms. He also states that he is considering filing a grievance in the grievance procedure provided in the negotiated agreement between the school district and the teachers' association of which he is a member.

Problem Three

You are the superintendent of a school district which has eight elementary schools, four junior high schools, and two senior high schools. You also act as Title IX coordinator, and as such you are responsible for receiving any Title IX grievances filed. As superintendent, you are also responsible for deciding these grievances. You have never received a Title IX grievance, but you understand that a citizens' group is considering filing a complaint with the Office for Civil Rights regarding your district's grievance procedure. You wonder why.

Problem Four

As superintendent, you have just retained a new legal counsel for your school system. One of the first things she requested was a copy of your Title IX grievance procedure and a summary of the grievances filed and grievance decisions made over the past three months. You have just received a memo from her which states that although she thinks that your use of a grievance hearing panel (comprised of one administrator, one teacher, and one community member) at the third and final level of the grievance procedure was a good idea for ensuring involvement of various school interest groups, she is concerned about the substance of the panel's decisionmaking. She suggests that two recent decisions involving competitive athletics are misinterpretations of Title IX requirements and that the district may in fact be in noncompliance.

Problem Five

You are the Title IX coordinator in your school district. In reviewing the most recent Title IX grievances filed, you notice that four almost-identical recent grievances concern discrimination in student behavior codes. You are concerned because the grievances involved the same issue which was resolved in a grievance four months ago. You examine the grievances and you discover that: one grievance is from a student in the same school in which the grievance was resolved four months ago and it appears that the corrective steps agreed upon in that case have not been implemented; and the other three grievances suggest that two other schools involved in these grievances have not received word of the revised district policy.

Problem Analysis--Problem One

How would you describe the nature of the problem?

Is it related to:

_____ the structure of the grievance procedure
_____ the grievance decisionmaking process
_____ grievance follow-up and monitoring
_____ dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
_____ training of staff regarding grievance processing/Title IX requirements/grievance decisions and their implications

Why?

How might this problem have been avoided?

Problem Analysis--Problem Two

How would you describe the nature of the problem?

Is it related to:

_____ the structure of the grievance procedure
_____ the grievance decisionmaking process
_____ grievance follow-up and monitoring
_____ dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
_____ training of staff regarding grievance processing/Title IX requirements/grievance decisions and their implications

Why?

How might this problem have been avoided?

Problem Analysis--Problem Three

How would you describe the nature of the problem?

Is it related to:

_____ the structure of the grievance procedure
_____ the grievance decisionmaking process
_____ grievance follow-up and monitoring
_____ dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
_____ training of staff regarding grievance processing/Title IX requirements/grievance decisions and their implications

Why?

How might this problem have been avoided?

Problem Analysis--Problem Four

How would you describe the nature of the problem?

Is it related to:

_____ the structure of the grievance procedure
_____ the grievance decisionmaking process
_____ grievance follow-up and monitoring
_____ dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
_____ training of staff regarding grievance processing/Title IX requirements/grievance decisions and their implications

Why?

How might this problem have been avoided?

Problem Analysis--Problem Five

How would you describe the nature of the problem?

Is it related to:

_____ the structure of the grievance procedure
_____ the grievance decisionmaking process
_____ grievance follow-up and monitoring
_____ dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
_____ training of staff regarding grievance processing/Title IX requirements/grievance decisions and their implications

Why?

How might this problem have been avoided?

Part Two: Implementing Title IX Grievance Procedures--Identifying Strategies to Increase Their Effectiveness

The opening page of this worksheet contained a listing of some of the functions which can be served by an effectively implemented Title IX grievance procedure. These include:

- providing a mechanism for involving all personnel and students in the monitoring of Title IX compliance and the correction of illegal sex discrimination
- increasing dialog and mutual problem solving related to issues of educational equity among the various personnel levels of the education agency
- increasing dialog between the community and the schools related to issues of educational equity and educational programs
- protecting the education agency from Federal intervention by providing a mechanism for resolution of allegations of Title IX violations and development of necessary corrective and remedial actions at the local level

A Title IX grievance procedure which serves these functions can not only help to ensure that an education agency remains in compliance with the law, but can also help to establish patterns and structures of communication which can be utilized in the solution of a variety of problems which may arise in any agency.

These functions are not served by all Title IX grievance procedures automatically; special efforts must be made to ensure that a procedure is implemented in such a way as to make these functions possible.

Each of these functions is listed on the next several pages with space provided below it. Please consider each function and then list the kinds of strategies or action steps which might be taken in implementing a grievance procedure to ensure that it is fulfilled. You may find it useful to review the problem analyses you've just completed for ideas. You should remember to keep in mind the problem categories used in Part One of this worksheet: the structure of the grievance procedure; the grievance decisionmaking process; grievance follow-up and monitoring; dissemination of information regarding the grievance procedure and/or grievance decisions and their implications; and the training of staff regarding grievance processing, Title IX requirements, and grievance decisions and their implications. You may identify useful action steps relate to any of these areas.

Remember to list action strategies and action steps which relate to the implementation of the Title IX grievance procedure.

Function One: Providing a mechanism for involving all personnel and students in the monitoring of Title IX compliance and the correction of illegal sex discrimination

Action strategies/steps which can ensure meaningful involvement of all personnel and students in the Title IX monitoring process:

Function Two: Increasing dialog and mutual problem solving related to issues of educational equity among the various personnel levels of the education agency (e.g., increasing dialog between administrators and teachers, administrators and counselors, etc.)

Action strategies/steps which can ensure dialog between different levels of personnel within the education agency regarding Title IX and educational equity:

Function Three: Increasing dialog between the community and the schools related to issues of educational equity and educational programs

Action strategies/steps which can ensure school/community dialog regarding the Title IX grievance procedure:

Function Four: Protecting the education agency from Federal intervention by providing a mechanism for resolution of allegations of Title IX violations and development of necessary corrective and remedial actions and the local level

Action strategies/steps which can ensure the validity of a grievance procedure as a mechanism for identifying and correcting Title IX violations:

Summary

With these functions and strategies in mind, can you identify steps which you should take to improve the effectiveness of the Title IX grievance procedure in your district?

EVALUATING YOUR TITLE IX SELF-EVALUATION

Administrators Worksheet 4

By July 21, 1976, education agencies and institutions receiving Federal funds were required to:

- evaluate their policies, programs, and practices for their compliance with Title IX regulation requirements
- modify them as necessary to ensure compliance
- take steps to remedy the effects of any discrimination resulting from identified noncompliance

This process has usually been referred to as institutional self-evaluation.

An effective self-evaluation can provide data and establish procedures which are useful foundations for continuing Title IX implementation and monitoring efforts. This worksheet is designed to help you evaluate your self-evaluation to assess its usefulness as a base for continuing efforts or to identify ways in which you might improve it at this time. The worksheet is organized within six sections:

- Your Knowledge of the Self-Evaluation
- Your Self-Evaluation--The Content
- Your Self-Evaluation--The Process
- Your Self-Evaluation--Follow-Up and Monitoring
- Your Self-Evaluation--Its Strengths
- Your Self-Evaluation--Making Improvements

If you are not sure of the answer to any question, place a "?" in the right-hand margin.

(Note: The Title IX regulation established no particular requirements or standards for the self-evaluation other than that it should include the three components listed above. The questions in this worksheet are based on general principles of evaluation, rather than on legal guidelines.)

Your Knowledge of the Self-Evaluation

1. To the best of your knowledge, has your district completed a self-evaluation to identify and correct any sources of possible noncompliance with the requirements of the Title IX regulation?

   Yes_____ No_____

2. Have you seen a copy of the self-evaluation or of the description of modifications and remedial steps taken as a result of the self-evaluation process?

   Yes_____ No_____

3. Were you involved in the self-evaluation in any way?

   Yes_____ No_____

   If yes, did you:

   design/assist in designing the evaluation? _____

   provide information? _____

   evaluate/assist in identifying modifications or remedial steps? _____

4. How would you describe the general quality of the self-evaluation? (Consider its comprehensiveness; the accuracy of its evaluation criteria; the accuracy of the data supplied, etc.)

   Why?

5. Was participating in/reviewing the self-evaluation a useful experience to you?

   Yes_____ No_____

   Why or why not?

Your Self-Evaluation--The Content

1. Does your self-evaluation specifically cover:

	Yes	No
• student access to courses:		
- course admissions requirements?	___	___
- graduation requirements?	___	___
- disproportionate course enrollments?	___	___
• vocational education?	___	___
• physical education?	___	___
• counseling:		
- programs?	___	___
- materials?	___	___
- tests and instruments?	___	___
• student treatment:		
- behavior and dress codes?	___	___
- extracurricular activities?	___	___
- employment assistance?	___	___
- health services/insurance benefits?	___	___
- honors and awards?	___	___
• policies, programs, and practices related to student marital or parental status?	___	___
• athletics and competitive sports:		
- student activities and programs?	___	___
- personnel practices?	___	___
• financial assistance to students?	___	___
• employment policies and practices related to:		
- recruitment/selection?	___	___
- promotion, tenure, layoff, application of nepotism policies?	___	___
- rates of pay; extraduty compensation?	___	___

	Yes	No
- job assignments and classification?	____	____
- fringe benefits?	____	____
- leaves of absence, including childrearing leave?	____	____
- terms of collective bargaining agreements?	____	____
- certified staff (by specific position)?	____	____
- classified staff (by specific position)?	____	____
2. Does your self-evaluation clearly specify the documents, publications, etc., which were examined during the review process, and indicate the criteria used in examining each?	____	____
3. Does your self-evaluation include objective data to support its conclusions, e.g.:		
- list of course enrollments by sex?	____	____
- description of athletic programs by sex?	____	____
- surveys of student athletic interests?	____	____
- analysis of disciplinary actions by sex over a specified period of time?	____	____
- listing of tests and counseling instruments used, with information on male/female norms, scales, etc.?	____	____
- other (please list)	____	____
_____		
_____		
_____		
4. Does your self-evaluation clearly specify actions taken/to be taken when possible noncompliance is identified:		
- corrective actions?	____	____
- remedial steps?	____	____

Your Self-Evaluation--The Process

	Yes	No
1. Are the procedures and criteria used in the self-evaluation clearly specified?	____	____
2. Are the persons involved in the design of the self-evaluation clearly specified?	____	____
Did they include:		
• staff with responsibilities in each of the areas evaluated?	____	____
• students?	____	____
• community members?	____	____
• persons with expertise on Title IX?	____	____
3. Are the persons from whom information was requested clearly specified?	____	____
Did they include:		
• persons with diverse responsibilities and levels of responsibility in each of the areas evaluated?	____	____
- administrators?	____	____
- instructional/counseling staff?	____	____
- classified staff?	____	____
• persons representing the various schools in the district?	____	____
• students?	____	____
• community members?	____	____
• persons with expertise on Title IX?	____	____
4. Are the persons responsible for analyzing the information clearly specified?	____	____

Did they include:	Yes	No
• persons with diverse responsibilities and levels of responsibility in each of the areas evaluated		
- administrators?	___	___
- instructional/counseling staff?	___	___
- classified staff?	___	___
• students?	___	___
• community members?	___	___
• persons with expertise on Title IX?	___	___

5. Were all concerned persons in the district notified of the self-evaluation and invited to submit any information they considered relevant? ___ ___

Your Self-Evaluation--Follow-Up and Monitoring

	Yes	No
1. When corrective or remedial steps were required were timelines and staff responsibilities for their implementation clearly specified?	___	___
Were staff responsibilites for monitoring of these steps clearly specified?	___	___
Have all specified steps been implemented according to the appropriate timelines?	___	___
2. Are periodic updates of the self-evaluation planned or conducted?	___	___
3. Is your self-evaluation or a record of modifications and remedial steps available for review and comment by interested persons?	___	___

Your Self-Evaluation--Its Strengths

1. Based on your answers so far, what do you see as the strengths of your self-evaluation in facilitating Title IX compliance in your district?

   Strengths related to content:

   Strengths related to process:

   Strengths related to follow-up and monitoring:

2. Based on your experience, what suggestions/assistance would you have for other school districts interested in improving their Title IX self-evaluation?

Your Self-Evaluation--Making Improvements

1. Based on your answers so far, do you see any ways of improving your self-evaluation to increase its usefulness in your district?

   Improvements in content:

   Improvements in process:

   Improvements in follow-up and monitoring:

2. Is there any further information which would be helpful to you in considering or improving your self-evaluation?

APPENDICES

IMPLEMENTING TITLE IX GRIEVANCE PROCEDURES

Administrators Worksheet 3A

Part One: Implementing Title IX Grievance Procedures--Problem Analysis Sample Analyses

Problem One

Nature of the problem:

The problem relates primarily to the dissemination of information regarding the grievance procedure--its coverage and its purposes--and the Title IX requirements.

No systematic methods of disseminating information on Title IX requirements, the Title IX grievance procedure, and Title IX implementation efforts to students or parents appear to have been implemented. For Ms. Rivera to provide all such information on a one-to-one basis is too time consuming in view of her other Title IX related responsibilities.

The problem might have been avoided by:

- more complete initial notification to students and parents of the particular rights protected by Title IX and the coverage and purposes of the Title IX grievance procedure
- development and distribution to interested persons of a pamphlet or brochure regarding Title IX requirements and the coverage of the Title IX grievance procedure
- implementation of monthly or bi-monthly evening meetings on Title IX progress, problems, and concerns, during which parents may come to ask questions and receive reports regarding Title IX rights and implementation efforts
- designation of several additional grievance representatives, who, under supervision of the Title IX coordinator, provide basic information on Title IX and the grievance procedure to interested parents and students

Problem Two

Nature of the problem:

The problem seems to be related to three issues: the grievance decision-making process, grievance follow-up, and training of staff regarding Title IX requirements and grievance decisions and their implications.

There seems to be a perception on Mr. Jenkins' part that Title IX compliance procedures and grievance decisionmaking are "administrators' problems" which work to the detriment of teachers, rather than the legal and educational

responsibility of all school district employees. He is required to implement Title IX compliance procedures which he says he does not understand and which he does not feel are appropriate to his situation.

The problem might have been avoided by:

- providing inservice training on Title IX requirements and their implications for instructional personnel to all teachers
- involving teacher representatives from major instructional areas (e.g., vocational education) in the implementation of relevant portions of the institutional self-evaluation and the development of appropriate corrective actions
- involving teacher representatives in a grievance hearing panel or advisory committee on grievance resolutions
- involving persons affected by a grievance decision in grievance follow-up meetings to assist them in understanding and implementing the grievance decisions or in developing the corrective measures which best fit their programs and ensure nondiscrimination and appropriate remedial actions
- implementing periodic meetings between teachers and the Title IX coordinator to discuss teacher concerns related to Title IX (these could be provided within the agenda of regular teachers' meetings)

Problem Three

Nature of the problem

The problem relates to the structure of the grievance procedure and to the grievance decisionmaking process.

The district's Title IX grievance procedure is not used, and it is apparently not perceived by the community as a procedure which offers a viable method of problem presentation and resolution. This probably stems from two sources.

1. Because the superintendent is the sole and final authority for grievance decisionmaking, the structure of the procedure provides no progressive appeals mechanism, and there is no apparent assurance that the grievance decision will be made by a person who is not primarily involved in its outcome.

2. Because the superintendent is the only person designated to receive grievances when filed, students and employees may find it difficult and intimidating to file their grievances at the central administrative office.

The problem might have been avoided by:

- designing a grievance procedure which provides several different levels of grievance consideration, e.g.: step one--the building principal; step two--the central administration (superintendent or assistant superintendent); step three--the school board or designated hearing panel. (Such a procedure provides progressive levels of

appeal and helps to ensure that the grievance may be considered by a variety of persons with varying perspectives and degrees of involvement in the grievance resolution.)

- designating representatives who can receive Title IX grievances in each school building in the district

Problem Four

Nature of the problem:

The problem concerns two interrelated issues: the grievance decision-making process and the training of staff (and of the community hearing panel member) regarding grievance processing and Title IX requirements.

A grievance decisionmaker can only be effective if she/he has a good working understanding of the Title IX regulation and its implications. A grievance hearing panel is an extremely useful method of providing relatively neutral grievance decisionmaking and ensuring that a variety of groups are involved in the grievance decisionmaking process. Such a panel can represent a variety of perspectives in the decisionmaking process and can assist in the interpretation of grievance decisions to their varying constituencies. However, it can only be effective in protecting both the school district and its students and employees from violations of Title IX when its members are trained in or knowledgeable of Title IX requirements and the kinds of steps which may be necessary to correct and remedy any identified violations.

(The secondary problem, the district's possible noncompliance with Title IX requirements for nondiscrimination in athletics, is partially a by-product of this fundamental problem. Although the district must certainly take steps to correct and remedy this noncompliance, it is critical that steps be taken to minimize the possibility of inaccurate grievance decision-making in the future.)

The problem might have been avoided by:

- providing mandatory training for all panel members regarding Title IX requirements and grievance decisionmaking

- providing a grievance hearing panel its own budget allocation with which to obtain expert legal counsel when necessary (counsel which is not directly retained by the school administration or governance board)

Problem Five

Nature of the problem:

The problem seems to relate to two areas of grievance procedure implementation: grievance follow-up and monitoring, and the dissemination of information regarding grievance decisions and their implications.

The problem appears to have two primary aspects:

1. Monitoring efforts necessary to ensure implementation of the corrective steps required under the first grievance decision were apparently not undertaken (thus the Title IX coordinator discovers four months later that the identified discrimination still exists).

2. There appear to have been no efforts made to communicate the results of the first grievance decision to persons not directly involved in that grievance, particularly to relevant persons in other schools throughout the system (there almost-identical grievances were filed from two other schools).

The problem might have been avoided by:

- instituting a follow-up and monitoring system to ensure that all grievance decisions are implemented in a timely and effective fashion (such a system might include required submission of specified information by the person(s) responsible for implementing corrective and remedial action; surveys to grievants; direct observations by the Title IX coordinator, etc.)

- instituting a grievance decision reporting system to inform all necessary staff and interested persons of grievance decision and their implications for school policies, programs, procedures, and practices (such a system might involve periodic written reports, periodic briefings, etc.)

Part Two: Implementing Title IX Grievance Procedures--Identifying Strategies to Increase Their Effectiveness

Function One: Providing a mechanism for involving all personnel and students in the monitoring of Title IX compliance and the correction of illegal sex discrimination

If a Title IX grievance procedure is to serve this function, it is critical that all personnel and students have access to information regarding Title IX requirements and the Title IX grievance procedure. It is to the advantage of the education agency to promote such involvement as a means of ensuring that discrimination is identified and corrected as expeditiously as possible.

Action strategies/steps:

- inclusion of information on Title IX requirements and the Title IX grievance procedure in all personnel handbooks and student handbooks

- development of a brochure regarding Title IX requirements and the Title IX grievance procedure; one-time dissemination to all personnel and students, dissemination thereafter upon request and to all new personnel and students

- development and dissemination of a periodic Title IX newsletter with information regarding Title IX grievance procedures and revisions in

agency policies, programs, procedures, and practices undertaken as a result of grievance decisions

- implementation of periodic Title IX briefing and question/answer sessions for interested personnel and students
- implementation of training on Title IX requirements and agency compliance efforts for key leaders of various personnel and student groups
- implementation of periodic surveys of personnel and students to assess their knowledge of Title IX requirements and of the Title IX grievance procedure, its use, and its purpose
- designation of Title IX grievance representatives in all school buildings who can provide personnel and students basic information regarding Title IX requirements and the use of the Title IX grievance procedure
- review of all Title IX grievance forms to ensure that they are simple to use and comprehensible to all personnel and students
- opening of grievance records (with names and identifying information removed) to interested staff and students
- inclusion in the Title IX grievance procedure of methods for informal discussion of Title IX related issues at the pregrievance stage

Function Two: Increasing dialog and mutual problem solving related to issues of educational equity among various personnel levels of the education agency

If Title IX grievance resolutions are to be effectively implemented, it is important that the variety of persons who may be affected by any resolution are involved in its formulation or receive thorough information about the resolution and an opportunity to comment on its workability. A Title IX grievance procedure which provides such involvement or opportunity can also serve to increase the general level of communication and dialog between various levels or groups of personnel within the education agency.

Action strategies/steps:

- involving representatives of various groups or levels of personnel (teachers, counselors, classified staff, etc.) in a review of the Title IX grievance procedure and in the suggestion of appropriate modifications
- reviewing the Title IX grievance procedure to ensure that it provides procedural rights to all personnel who may be involved in a Title IX grievance as either a grievant or a person named as a possible Title IX violator
- involving representatives of various staff groups or levels on grievance hearing panels or grievance advisory boards

- providing an opportunity for any staff affected by a grievance resolution to consult with grievance decisionmakers regarding the specification of appropriate corrective and remedial actions

- implementing periodic surveys of staff to determine their perceptions of the effectiveness of Title IX grievance procedures and grievance-related revisions in policy, program, or practice

Function Three: Increasing dialog between the community and the schools related to issues of educational equity and educational programs

Dialog between the schools and the community on issues related to educational equity can serve several purposes:

- it can provide the schools with a mechanism for communicating and interpreting school policies to the community and for soliciting community support for their implementation

- it can provide the community an opportunity to identify community needs relevant to school programs

- it can provide both groups with a structure for addressing issues of educational equity which are of mutual concern

If school/community relationships are to be meaningful to both sides, it is essential that community members be provided access to information regarding the particular area of concern, in this case the Title IX grievance procedure and Title IX compliance efforts. The provision of such information can help to minimize the filing of grievances which are irrelevant to Title IX, and it can help to ensure the timely identification of inadvertent Title IX violations.

Action strategies/steps:

- provision of information regarding Title IX requirements and the Title IX grievance procedure in ongoing communications with parents and community members (e.g., "back-to-school" memoranda to parents, public relations brochures, etc.)

- development of a special brochure regarding educational equity efforts and the Title IX grievance procedure for dissemination upon request to community members or groups

- designation of school personnel available to make presentations on the Title IX grievance procedure and Title IX compliance efforts to community groups

- development of brief presentations regarding Title IX and the grievance procedure for inclusion in ongoing community meetings (e.g., the PTA meetings)

- ensuring the eligibility of community groups to bring grievances under the Title IX grievance procedure

- opening Title IX grievance records (with names and identifying information removed) to concerned community members

- designation of community representatives to serve on grievance hearing panels or grievance advisory boards

- providing hearings or portions of school board meetings in which community members may express their views and ask questions regarding Title IX and the grievance procedure

Function Four: Protecting the education agency from Federal intervention by providing a mechanism for the resolution of allegations of Title IX violations and the development of necessary corrective and remedial actions at the local level

If the Title IX grievance procedure is to be effective as a mechanism for resolving Title IX grievances locally without Federal intervention, several conditions must be met:

1. The procedure must provide due process for all parties to the grievance. (If due process is not provided, it is unlikely that the procedure will be utilized.)

2. The procedure must provide equitability and some assurance that grievances will be heard by persons not directly involved in the outcome of the grievance. (If there is no attempt to ensure that the grievance decision will be a fair and neutral one, it is again unlikely that the procedure will be utilized.)

3. All grievance decisions must be made in accordance with Title IX requirements. (If decisions are made without adequate information on Title IX, or on the basis of expediency, the grievant is likely to resort to the Federal administrative complaint procedure.)

4. All actions necessary to correct and remedy identified discrimination must be taken in a timely and effective fashion. (If necessary corrective and remedial actions are not taken, the grievant is again likely to resort to the Federal administrative complaint process through which correction may be compelled by financial sanctions.)

5. The grievance procedure must be implemented in a timely fashion. (Unless the grievance procedure provides for timely grievance resolution, the advantage of this procedure to the grievant may be reduced.)

In short, if the procedure is to be useful to both the grievant and the education agency, it must be structurally sound and implemented in a good-faith manner.

Action strategies/steps:

- review the Title IX grievance procedure to ensure that it provides for

  - due process
  - equitability and impartial decisionmaking

- timely resolution of complaints
- protection of grievants from harassment and retaliation

- review the implementation of the Title IX grievance procedure to ensure that:

  - all grievance decisions have been made in accordance with Title IX requirements
  - all greivance decisionmakers are knowledgeable regarding or have received training in Title IX requirements
  - all grievance decisions specify appropriate corrective and remedial steps when discrimination is identified
  - follow-up and monitoring efforts are made to ensure the implementation of grievance decisions

MONITORING TITLE IX IMPLEMENTATION

Participants' Materials For Session B For Administrators,
Title IX Coordinators, and Board Members

Prepared for the
Title IX Equity Workshops Project
of the Council of Chief State School Officers

by the
Resource Center on Sex Roles in Education
National Foundation for the Improvement of Education

IMPROVING MY SKILLS IN MONITORING AND PROBLEM SOLVING

Administrators Worksheet 5

Two conditions which are essential for Title IX implementation are the maintenance of effective monitoring systems and the capability for effective problem solving. The following worksheet is designed to assist you in evaluating your skills in Title IX related to monitoring and problem solving. Please read through each of the questions and answer them in terms of your appraisal of your skills.

Data Collection

To what degree do you systematically collect information related to sex discrimination and sex bias and the procedures/programs being used for Title IX implementation and the attainment of sex equity?

Do you collect data from an adequate number of sources?

1	2	3	4	5
Seldom		Sometimes		Frequently

Do you collect data from sources representing varying points of view?

1	2	3	4	5
Seldom		Sometimes		Frequently

Do you identify data needs and make deliberate efforts to collect information?

1	2	3	4	5
Seldom		Sometimes		Frequently

Do you collect data on a continuing or periodic basis?

1	2	3	4	5
Seldom		Sometimes		Frequently

Data analysis

Do you systematically make an effort to analyze information according to specified criteria and/or request such services from others?

Do you establish a framework of goals and objectives for evaluating information?

1	2	3	4	5
Seldom		Sometimes		Frequently

Do you request/review others (staff, governance, etc.) to collect and/or analyze information related to Title IX implementation or related issues?

1	2	3	4	5
Seldom		Sometimes		Frequently

Do you develop personal analysis of data and identify needs which should be treated?

1	2	3	4	5
Seldom		Sometimes		Frequently

Identification of action alternatives

Do you systematically identify action alternatives and select them to fit the requirements of the situation?

Do you consider the full range of action alternatives that could be taken?

1	2	3	4	5
Seldom		Sometimes		Frequently

Do you analyze the unique requirements of the situation?

1	2	3	4	5
Seldom		Sometimes		Frequently

Do you consider the combination of actions which need to be taken?

1	2	3	4	5
Seldom		Sometimes		Frequently

Problem Solving

Knowledge of the regulation

To what degree do you have a working knowledge of the Title IX regulation and its application to educational policies, programs, and practices?

1	2	3	4	5
Seldom		Sometimes		Frequently

Ability to identify information needs

To what degree are you able to review problems and determine the information needed for effective problem solving?

1	2	3	4	5
Seldom		Sometimes		Frequently

Identification of action alternatives

To what degree are you able to identify appropriate action alternatives which may be taken to solve Title IX-related problems?

1	2	3	4	5
Seldom		Sometimes		Frequently

Ability to select effective solutions

To what degree are you able to select appropriate courses of actions and make decisions which are appropriate for the requirements of the situation?

1	2	3	4	5
Seldom		Sometimes		Frequently

Action Steps

After reviewing your skills in monitoring Title IX-related activities and dealing with day-to-day problems, what are your major strengths?

Your major weaknesses?

Steps to take?

IT'S UP TO YOU--TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Administrators Worksheet 6

Dr. Pat Norris, superintendent of Fernwood schools, has had six years of experience in Fernwood and is known as a fair, effective administrator. Dr. Norris is committed to improving Fernwood schools and has been particularly interested in continuing staff development for all district employees.

During the past five years several members of the administrative staff have observed the passage of Title IX, and the development of the regulation; and they have taken a variety of actions to implement Title IX. They are pleased with the progress that has been made toward Title IX compliance, but are also concerned about the problems which are still evident.

A collection of the memos and letters relating to Title IX which have come to Dr. Norris' desk during the past six months is provided in the following pages. Read each of them carefully, then determine the actions which should be taken to deal with the problem. You may make notes of your responses on the sheet which follows each memo or letter.

You will be asked to discuss your responses in a small group and come up with a group answer to the questions on the worksheets. A group consensus form is provided following all the items and worksheets. Please use this form to record your group's answer to one of the items.

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Administrators Worksheet 7

TO: Dr. Norris

FROM: Assistant Superintendent Vernon Casey

RE: Teaching and Counseling Staff

During the past few months I have received more than 20 complaints from students regarding the pressures that counselors and teachers place on them discouraging their enrollment in vocational education classes which are nontraditional for their sex. Although notification has been sent to every member of the instructional and counseling staffs that reduction of the sex disproportionate enrollments is a goal of district vocational education programs, it appears that some personnel are not facilitating progress toward this goal.

I am recommending that disciplinary actions be taken against those who are exerting such pressures. Is this consistent with your thinking? Do you have other suggestions for dealing with the problem?

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Vernon Casey--Individual Analysis

1. What are the implications of Title IX for this problem?

2. What further information is needed to facilitate action or decisionmaking?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/communication	_____
Study or investigation	_____
Staff training	_____
Community involvement	_____
Program development/modification	_____
Budget allocation	_____
Disciplinary action	_____
Other (please specify)	
_____	_____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Administrators Worksheet 8

TO: Dr. Norris

FROM: Sharon Findley, Principal
Northwood High School

RE: Personnel Policies

Four months ago I made application for the position of Assistant Superintendent for Curriculum which had been posted. My application was processed and I was recently interviewed by Mr. Gray, Director of Personnel, and a committee of board members and central office staff.

During the interview I was asked questions such as:

- Did my husband support my taking on additional responsibility?

- Would I be willing to work the extra time that would be necessary to complete the rigorous requirements of the job?

- Did I really understand management or had I relied on Mr. Knopman, the Assistant Principal of Northwood High School, for much of the direction of our administrative activities?

- Would I be able to ensure adequate care for my children if I were working in a job which required longer hours?

Although no announcement has been made as to the selection for this position, I believe that many members of the committee were biased in their consideration of a woman in this position and that, in fact, many of the questions asked me were illegal.

At the present moment I have no ideas as to a course of action which I might pursue, but I think that it is important that you know the facts of this case in order that some action may be taken to prevent this type of problem in the future.

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Sharon Findley--Individual Analysis

1. What are the implications of Title IX for the problem to be addressed?

2. What further information is needed to facilitate action or decisionmaking?

3. What kinds of action steps are suggested by this problem?

   Policy development/clarification/communication _____

   Study or investigation _____

   Staff training _____

   Community involvement _____

   Program development/modification _____

   Budget allocation _____

   Disciplinary action _____

   Other (please specify)

   _____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Administrators Worksheet 9

TO: Dr. Norris

FROM: Tomas Ortega
Counselor, Bryant Senior High School

RE: Need for new counseling materials

One of the major findings of the Title IX self-evaluation committee for counseling services was the fact that the majority of the career counseling materials in use in Fernwood are very sex stereotyped. Most show almost no girls in career positions and several go so far as to say that the most important career for any woman is marriage and motherhood.

The committee recommended almost one year ago that funds be made available for the purchase of materials dealing with careers for girls and women. The counseling department budget for next year has no item for the purchase of these materials. Dr. Van Horne, the director of counseling services, has told the self-evaluation committee that all materials procurement money must go to buy other materials.

We on the committee are disturbed that we are not providing good career counseling services to girls and that the Fernwood schools may be in violation of Title IX.

We would like to discuss this matter with you at your convenience.

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Tomas Ortega--Individual Analysis

1. What are the implications of Title IX for the problem to be addressed?

2. What further information is needed to facilitate action or decisionmaking?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/communication	_____
Study or investigation	_____
Staff training	_____
Community involvement	_____
Program development/modification	_____
Budget allocation	_____
Disciplinary action	_____
Other (please specify)	
_____	_____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Administrators Worksheet 10

TO: Superintendent Norris

FROM: Robert Welsh, Esquire

RE: Examination of possible sex discrimination in the contract between Fernwood District Schools and Fernwood teachers

At your request I have reviewed the terms of the contract between the Fernwood District Schools and the Fernwood Teachers Association in an effort to identify any provisions which may be discriminatory. One clause appears to be discriminatory:

Section H - Salary Increments; Clause 4-Increments for Athletics Personnel

The contract states that male coaches are eligible for a 5½%-increment for the 77-78 year and that female coaches are eligible for a 4½%-increment during the same period of time.

I would like to discuss this with you in greater detail in the near future.

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Robert Welsh--Individual Analysis

1. What are the implications of Title IX for the problem to be addressed?

2. What further information is needed to facilitate action or decisionmaking?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/communication _____

Study or investigation _____

Staff training _____

Community involvement _____

Program development/modification _____

Budget allocation _____

Disciplinary action _____

Other (please specify)

_____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Administrators Worksheet 11

TO: Superintendent Norris

FROM: Jerri Dickinson
Home Economics Department

RE: Use of Sewing Machines

It has been the policy of the home economics department to make sewing machines available to students after school for the completion of their sewing projects. Until this year the majority of students using the machines have been females who have had considerable experience with the use of sewing machines.

Since the introduction of the Survival course this fall, a number of male students have used the machines after school hours. This has created continuing problems of machine maintenance. Numerous needles have been broken, threads have been found jammed in the bobbin holders, and excessive oil has soiled the garments of subsequent users.

It would appear to me that we are going to have to restrict use of the machines after school hours to female students only. I understand, however, that this might be illegal.

Do you have any suggestions?

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Jerri Dickinson--Individual Analysis

1. What are the implications of Title IX for the problem to be addressed?

2. What further information is needed to facilitate action or decisionmaking?

3. What kinds of action steps are suggested by this problem?

   Policy development/clarification/communication _____

   Study or investigation _____

   Staff training _____

   Community involvement _____

   Program development/modification _____

   Budget allocation _____

   Disciplinary action _____

   Other (please specify)

   _____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Administrators Worksheet 12

Superintendent Norris
Fernwood Community Schools
Fernwood, Oklahoma

Dear Dr. Norris:

We are juniors at Fauquier High School. We are writing to complain about the sports programs offered to girls.

Fauquier has girls' interscholastic teams in basketball, field hockey, tennis and gymnastics, but we don't have teams in track, swimming, or baseball, even though the boys do. We don't think this is fair.

We have talked to Mr. Neeto, the athletics director about this, and he said he is sorry but that there is nothing more that he can do. We think that the school must permit girls to compete in these sports. We have talked to our parents and they agree.

Sincerely,

Anne Brosh
Anne Brosh

Benessa Jackson
Benessa Jackson

Julia Gonzalez
Julia Gonzalez

Karen Pickering
Karen Pickering

Elma Carpenter
Elma Carpenter

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Ann Brosh et al.--Individual Analysis

1. What are the implications of Title IX for the problem to be addressed?

2. What further information is needed to facilitate action or decisionmaking?

3. What kinds of action steps are suggested by this problem?

   Policy development/clarification/communication _____

   Study or investigation _____

   Staff training _____

   Community involvement _____

   Program development/modification _____

   Budget allocation _____

   Disciplinary action _____

   Other (please specify)

   _____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS

Administrators Worksheet 13

TO: Dr. Norris

FROM: Consuelo Noeth, Title IX Coordinator

RE: Report of Title IX Grievances in Fernwood Schools

This report is to provide an update on Title IX grievances which have been handled during the six-month period between September 1976 and March 1, 1977.

Number of grievances filed	64
Number of grievances resolved before formal hearings	27
Number of grievances heard at Level I	17
Number of grievances heard at Level II	9
Number of grievances heard at Level III	2
Number of grievances dropped	7
Number of grievances pending	2
Total	64

An analysis of the grievances indicates that 40 grievances involved secondary school students, 12 involved elementary school students, and 12 involved school district employees.

The areas in which student grievances were filed include:

Secondary Schools

Access to vocational education classes	15
Access to physical education classes	2
Differences in competitive sports programs	13
Scheduling of programs for pregnant students	2
Access to extracurricular activities	3
Differential dress codes	5

Elementary Schools

Lack of notification of policy	6
Access to playground facilities	4
Differential classroom activities	2

Employment

Unequal pay for equivalent work	8
Discrimination in promotion	2
Denial of leave	2

Examination of the number of grievances filed by schools indicates that 82 percent of the complaints were filed within four of the 27 schools in the district.

TITLE IX DECISIONMAKING IN FERNWOOD SCHOOLS
GROUP CONSENSUS SHEET

Administrators Worksheet 14

Please use this sheet to record the responses which are the consensus of your small group regarding one of the in-basket problems presented. (Other members of the small group should make similar sheets on the other problems.)

Problem: _____
(name of person submitting memo/letter)

1. What are the implications of Title IX for the problem to be addressed?

2. What further information is needed to facilitate action or decisionmaking?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/communication _____

Study or investigation _____

Staff training _____

Community involvement _____

Program development/modification _____

Budget allocation _____

Disciplinary action _____

Other (please specify)

_____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

IMPROVING TITLE IX IMPLEMENTATION

Administrators Worksheet 15

During the session you have been exposed to a number of concepts and strategies regarding the intent of Title IX and its implementation. On the basis of the information gained today, please answer the following questions:

1. On the basis of information obtained during the workshop, I believe that Title IX implementation in our district could be described as:

Little or uneven implementation	Basic procedural implementation	Major programmatic implementation	Full implementation

2. The information I need to collect regarding Title IX implementation in my district is:

3. The person(s) from whom I need to collect this information are:

4. The most important actions which I can take to increase Title IX implementation in my district are:

5. The things I need to do to accomplish this action when I return home are:

6. The assistance I need to increase Title IX implementation is:

7. The persons/places where I can obtain this assistance are:

WORKSHOP EVALUATION FORM

Administrators Worksheet 16

1. At this point, how would you rate your knowledge of:

Sex equity in administration and ensuring procedural Title IX compliance	Sex equity in administration and monitoring Title IX implementation
___thorough understanding	___thorough understanding
___some knowledge	___some knowledge
___little knowledge	___little knowledge
___no knowledge	___no knowledge

2. What concerns or questions about sex equity in administration and ensuring Title IX compliance and monitoring implementation have been answered for you today?

3. What concerns or questions about sex equity in administration and ensuring Title IX compliance and monitoring implementation still remain unanswered for you?

4. Which of the day's activities were most helpful to you?

5. Which of the day's activities were least helpful to you?

6. What information, experiences, or activities do you need next in order to achieve sex equity in administration and ensure Title IX compliance?

APPENDICES

TITLE IX DECISIONMAKING

Administrators Worksheet 7A
Vernon Casey

1. The Title IX regulation states that counselors may not discriminate against any person on the basis of sex in the counseling process /§86.23(a)/ and that course offerings, including vocational education courses, may not be provided separately on the basis of sex. /§86.34/

2. Further information is needed regarding the specific nature of the pressures that students have experienced as they are moving into vocational education programs, the policies and policy guidelines which specify open access to courses, and copies of any course selection materials that are made available to students.

3. The possible actions suggested by the problem involve policy development/clarification/communication, staff training, and program modification/development.

4. A number of alternatives are available:

   - Policy guidelines regarding nondiscrimination in student access to courses could be developed and distributed to all counselors and instructional staff.

   - A program of staff training regarding the responsibilities of counseling and instructional staff for nondiscrimination could be developed and implemented for all staff.

   - A program of career-planning and support services to overcome the effects of past discrimination could be developed for all students, with special attention being given to students interested in nontraditional areas. This might include support groups for students, open-house sessions to expose all students to the range of available vocational education alternatives, discussion sessions with men and women in nontraditional jobs, etc.

   - A review of student handbooks, career-planning materials, course descriptions, etc. could be made to ensure that they are nondiscriminatory and that students know of their rights of equal access to courses.

   - Disciplinary actions could be taken in those instances where it is clear that personnel continue to exert pressures on or to harass students.

5. Each alternative should be implemented.

TITLE IX DECISIONMAKING
Administrators Worksheet 8A

Sharon Findley

1. Under the provisions of the Title IX regulation, an employer may not take any employment action concerning the marital, parental, or family status of an employee or applicant which treats persons differently on the basis of sex; or make any pre-employment inquiries of one sex if they are not made of the other sex. /§86.57(a)/ and /86.60(a)(b)/

2. Further information is needed to determine whether the same inquiries were made of male applicants and whether specific policy and guidelines have been developed regarding the interviewing of job candidates.

3. The action steps which are suggested include:

   - development of policy regarding nondiscriminatory hiring (if it does not exist)

   - development of policy guidelines regarding nondiscrimination in employment interviewing (if they do not exist)

   - provision of staff training

   - disciplinary action (if behavior continues)

4. The alternatives which are available to Superintendent Norris include:

   - to write a letter to Ms. Findley thanking her for the information, assuring her that steps will be taken to ensure a fair and unbiased consideration of her qualifications, and that actions will be taken to prevent recurrence of this experience

   - to prepare and disseminate a statement clarifying district policy in this area

   - to develop a program of staff training for all persons with responsibility for interviewing and hiring persons

   - to investigate the possibility of the need for disciplinary action

5. Each of the alternatives should be implemented.

TITLE IX DECISIONMAKING

Administrators Worksheet 9A

Tomas Ortega

1. Each agency receiving Federal funds is required to develop and use internal procedures to ensure that existing counseling materials are not discriminatory. Agencies may not use materials which permit or require different treatment of students on the basis of sex. [§86.36(b)]

2. Further information is needed regarding the counseling materials currently being used, level of staff awareness and the patterns of use of sex-stereotyped materials, and the availability of other funds.

3. The primary action steps suggested by this problem would be related to budget allocations for purchase of sex-fair materials and to the development of a program for internal development of supplementary materials.

4. Available alternatives include:

   - review of use of allocated funds to assess the possibility of reduction of funds
   - review of possibilities of securing funds for purchase of materials
   - involvement of staff in an assessment of materials currently being used
   - involvement of staff in the development of supplementary materials
   - training of staff in guidelines for nondiscriminatory use of biased counseling materials

5. Each of the alternatives should be considered.

TITLE IX DECISIONMAKING

Administrators Worksheet 10A

Robert Welsh

1. The Title IX regulation requires that employers may not, on the basis of sex, make distinctions in the rates of pay for equal work. [§86.51] If coaching positions are equivalent, no distinctions may be made on the basis of sex.

2. The contract language is clearly discriminatory on its face, in that salary distinctions are made on the basis of sex of employees. Further information is therefore not needed for determining the legality of the contract language, but it might be useful in identifying alternative contract provisions. Information useful for this purpose would include descriptions of each coaching position in terms of responsibilities, competencies required, etc; criteria used for establishing coaching salaries; projected athletics program plans and budgets, etc.

3. Action steps which are indicated include policy development/clarification/communication and budget allocation/reallocation.

4. Available alternatives include:

   - work with the teachers' association to change the terms of of the agreement (contract)
   - develop criteria for determination of pay increments on the basis of factors other than sex (e.g. performance, responsibility, etc.)
   - implement procedures necessary to equalize pay of female and male staff on the basis of the criteria developed (other than sex)
   - revise athletics budget as required to accommodate salary changes

5. Each of the alternatives should be implemented.

TITLE IX DECISIONMAKING

Administrators Worksheet 11A

Jerri Dickinson

1. The Title IX regulation requires that students may not be provided different aid, benefits, or services on the basis of sex. /§86.31(b)/

2. Further information is needed regarding the method of granting permission to use sewing machines, the method of assigning responsibility for care of machines, and the extent to which instruction is provided to students in the use of sewing machines.

3. Action steps which are suggested include policy clarification and staff training efforts.

4. Available alternatives include:

   - Develop a test to determine competency of users which would be used as a condition of giving either males or females permission to use the machines outside of class hours

   - Ensure that curriculum activities include adequate attention to the use and care of sewing machines

   - Develop a system of individual accountability for care of sewing machines used after school hours so that any suspension of use privileges may be done on a student-by-student basis

   - Develop a program of staff training which can assist instructional personnel in the implementation of nondiscriminatory programs and related problem-solving strategies

5. All alternatives should be implemented.

TITLE IX DECISIONMAKING

Administrators Worksheet 12A

Ann Brosh et al

1. Agencies receiving Federal funds are required to evaluate their total athletic program to determine whether or not it effectively accommodates the interests and abilities of members of both sexes. Factors which should be considered in the evaluation include the nature and extent of sports programs offered and their accommodation of the interests and abilities of males and females in both sports and the level of competition offered. /§86.41(c)/

2. Further information is needed regarding:

   - the nature of the barriers which the athletics director alluded to; the specific sports and levels of competition currently being provided for males and females; any efforts made to assess the athletic interests of females; and the plans that may have been developed for the expansion of female sports programs (including specific sports and timetables).

3. The action steps suggested by the problem are program modification/ development, study and investigation of female interests if this has not been done, and policy clarification.

4. Available alternatives include:

   - meeting with the athletics director to obtain a report of current female sports activities, plans for the future, and an analysis of barriers to immediate equalization of programs (including projected timelines for elimination of their barriers)

   - conducting an inventory of the athletic interests of female and male students in interscholastic and intramural sports (if one has not already been completed)

   - reviewing plans, if any, for the expansion of female sports programs including timetables, sports, and financial projections

   - meeting with students to obtain greater information, to clarify district policy and plans, and to obtain their suggestions for program revisions

5. Each of the alternatives should be implemented.

TITLE IX DECISIONMAKING

Administrators Worksheet 13A

Consuelo Noeth

1. Every agency receiving Federal funds must adopt, publish, and maintain grievance procedures which provide a method of resolving student and employee grievances. /§86.8(b)/

2. Further analysis of the grievances is required in order to identify:

   - any similarities in the grievance allegations or situations suggesting systemic problems or patterns of discrimination
   - any patterns or inconsistencies in grievance resolutions
   - any recommendations for action which emerge from patterns identified
   - any needs for individual problem solving, correction, or reinforcement
   - areas for further monitoring

   Ms. Noeth's analysis is good in that it provides information on the numbers of grievances falling in particular areas and the numbers filed by school, but information on outcomes and recommendations for action is needed.

3. The action steps that are suggested include further study of the specifics of the grievances (e.g., possible reasons for the concentration of grievances in a few schools), specific policy communication to particular groups within the high grievance schools, and staff training. The need for staff training is suggested by the number of grievances, which reflects the need to ensure understanding of the Title IX regulation requirements throughout the total system.

4. Alternatives that are available include:

   - Request the Title IX coordinator to provice additional information such as:

     - listing of outcomes of grievances by type of grievance
     - listing of grievances by school
     - identification of the problems involved in the grievances
     - recommendations for actions which should be taken

   - Request the Title IX coordinator to develop criteria for analysis of the grievances, and establish a timetable for regular reporting and analysis of grievance handling.

- Request the Title IX coordinator to review the self-evaluation records of all schools, with particular emphasis on the four schools where most grievances were filed. Make recommendations for re-evaluation where desirable.

- Review the policies and policy communications regarding vocational education and competitive sports. Meet with department heads to obtain further information and develop appropriate actions.

- Implement training for all staff regarding their responsibilities for Title IX compliance.

5. All alternatives should be used.

U.S. GOVERNMENT PRINTING OFFICE: 1979 727-334/1734 1-3